

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
May 27, 2015

The Providence City Planning Commission will begin discussing the following agenda items at 6:00 p.m.
Anyone interested is invited to attend.

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of May 13, 2015.

Public Hearing(s): Prior to making a recommendation on the following items, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

Item No. 1. 6:15 p.m. Public Hearing: The Providence City Planning Commission will receive comment on a proposed rezone of 1.198 acres of property from Agricultural (AGR) to Single-Family Traditional (SFT). The property is located at approximately 240 South 325 West, Providence.

Item No. 2. 6:30 p.m. Public Hearing: The Providence City Planning Commission will receive comment on proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 5 Overlay Zones regarding Hazard slope zones, engineering geotechnical report, and disclosures of other natural hazards.

Item No. 3. 6:30 p.m. Public Hearing: The Providence City Planning Commission will receive comment on proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Regulations, Section 1 Area Regulations and Section 3 Setbacks allowing attached uncovered decks to extend into the rear setback.

Action Items:

Item No. 1. Proposed Code Amendment: The Providence City Planning Commission will consider for recommendation to the City Council, a proposed rezone of 1.198 acres of property from Agricultural (AGR) to Single-Family Traditional (SFT). The property is located at approximately 240 South 325 West, Providence.

Item No. 2. Proposed Code Amendment: The Providence City Planning Commission will consider for recommendation to the City Council, proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 5 Overlay Zones regarding Hazard slope zones, engineering geotechnical report, and disclosures of other natural hazards.

Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will consider for recommendation to the City Council, proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Regulations, Section 1 Area Regulations and Section 3 Setbacks allowing attached uncovered decks to extend into the rear setback.

Item No. 4. Proposed Code Amendment: The Providence City Planning Commission will consider for recommendation to the City Council, proposed amendments to Providence City Code 10-8-5: Commercial Zoned Districts; Site Development and 10-8-6: Parking Regulations.

Item No. 5. Amended Final Plat: The Providence City Planning Commission will consider for approval an amended final plat for Eagleview Estates Phase 2 amending the east boundary line.

Study Items:

Item No. 1. Proposed General Plan Amendments: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the zoning districts for future annexation and future rezone of existing districts.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Agenda posted by Skarlet Bankhead on May 22, 2015.


Skarlet Bankhead
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

Providence City Planning Commission Minutes
Providence City Office Building
15 South Main, Providence UT 84332
May 13, 2015 6:00 pm

Attendance:

Chairman: Larry Raymond
Members: Kirk Allen, Robert James, Sherman Sanders
Alternates: Wendy Simmons
Excused: Heather Hansen

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of April 22, 2015.

Motion to approve the minutes with the following corrections: S Sanders, second – K Allen

- Page 2, line 5 – may need to be rezoned.

Vote: Yea: K Allen, R James, L Raymond, S Sanders, W Simmons
Nay: None
Abstained: None
Excused: None

- Jeff Baldwin from City Council commented on the proposed traffic corridor plan. He complimented the Planning Commission for their work and felt they were on target with future traffic flows.
- K Allen said there is still work to be done, but it can be done in conjunction with the corridor plan.

Study Items:

Item No. 1. The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the zoning districts for future annexation and future rezone of existing districts.

- L Raymond said the last time the plan was done was back in 2001. There have been a lot of changes since that time. The plan needs to be revised more frequently.
- J Baldwin commented that having a mixed housing zone could be done and done very well. He asked S Bankhead if a mixed use could be a conditional use to some of the residential zones.
- S Bankhead said it could be done as long as the conditional use criteria are well defined and there were guidelines in place.
- K Allen said density percentages could be used as a guideline/condition. Trails, bike paths and green spaces could be incorporated into these types of zones.
- S Bankhead said there is a development plan that is an overlay zone where the developer presents an idea to the city, similar to what is being discussed, it goes forward in a different process that a standard sub-development. But it could be looked at and revised so it isn't so cost prohibitive. She will email the code to the commissioners so they can review it.
- L Raymond said if the City wanted to annex land east of the deer fence, then the annexation plan would have to be revised.
- S Bankhead said perhaps now is the time to look at the overall general plan and see if there aren't areas that may need to be considered for future annexations into Providence.
- L Raymond felt all areas around the City of Providence should be considered for future zoning.
- Neighborhood commercial was discussed.
- S Sanders asked if flexible zoning could be set up as its own zone or would it be allowed in all zones. He felt it could work in all areas.
- K Allen commented that some of the commercial businesses that are currently located in residential zones would do much better if they were located in a commercial zone.
- R James said all this is driven by what is in Title 10, Chapter 6. Mixed zones could be addressed in that part of the code.
- S Bankhead said there was a discussion in executive staff meeting and currently recreation/entertainment is allowed in the commercial general district. Recreation and entertainment really needs to be defined for the City of Providence. The use chart needs more definition in some areas. Parks with tennis courts are

allowed in residential areas all the time, but a privately owned tennis court in a residential area would not be allowed. The use chart should be revised.

- R James recommended starting with Title 10, Chapter 4. That way each zone's intended concept can be identified. Then the use chart can be addressed.
- L Raymond said the commission will start with definitions first, then areas for zoning and annexations.
- S Bankhead said a lot of people don't understand the zone for future annexation and the changing of existing zones for the future.
- K Allen asked about medium density zones.
- S Bankhead said medium density and high density are defined by units per acre. Multi-family medium density is 12 units/acre and high density is 18 units/acre. Providence is fortunate in that we have nice multi-family areas.

Item No. 2. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-8-5: Commercial Zoned Districts; Site Development and 10-8-6: Parking Regulations.

- R James has comments on the landscaping. Section C-8 xeriscaping – asked if this was added to encourage the use of xeriscaping. A clear definition needs to be added, such as low-water usage landscape.
- S Bankhead said this was added to define what xeriscaping is in an effort to avoid zero-scape or no landscaping.
- R James – Section C-12 – he would like to see specific numbers on the minimum (10) and maximum (50). Buffer zones – minimum 10' buffer is required. Landscape buffers need to be defined according to usage and purpose regarding zones. Buffer heights were discussed. S Bankhead will rewrite to define overall landscaping and landscape buffers.
- S Sanders said maintenance also needs to be covered in buffer zones. Perhaps a maintenance clause.
- K Allen said it is covered in 10-8-5C.
- 13-D change ration to ratio.
- 16. - removal of all requirements for architects, landscape architects, etc., was something added elsewhere?
- S Bankhead said perhaps it should say “at the request of the ALUA the following stamps may be required.”
- K Allen asked about adding “at the discretion of the city a final landscape plan may be required from a Utah licensed architect”.
- R James felt it should be added in 16 and 16F.
- L Raymond noted a few grammatical errors that need to be corrected.
- K Allen asked about referrals to parking spaces and the verbiage handicapped vs. individuals with disabilities. He would like to see parking for individuals with disabilities.
- S Bankhead said this will be an action item next meeting.

Item No. 3. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-8-3 allowing attached uncovered decks to extend into the rear setback.

- S Bankhead said lately there have been a lot of questions on decks; that is why this is on the agenda tonight.
- This will go to public hearing next meeting.

Item No. 4. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-5 regarding hazard slope zones, engineering geotechnical report, and disclosures of other natural hazards.

- S Bankhead - changes to 10-8-5: This is on the agenda because when land was mined in the Highlands an emergency ordinance was passed as a matter of health and safety. However, it was a temporary ordinance and the time limit has expired. It now needs to be made a permanent ordinance and go through the proper process. This will require a public hearing with a recommendation being made to the City Council.
- L Raymond would like to see the original rise and fall of the land specified. He feels it should be included in steep slopes.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

- S Bankhead:
 - There will be a notice in the paper for a public hearing next week on a rezone at 325 West across the street from Meadow Ridge Park.
 - Larry Hogge has also resigned so any suggestions for a commissioner should be given to the mayor. Wendy Simmons will move from alternate to regular voting member of the Commission.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

- No commission reports tonight.

Motion to adjourn: R James, second – W Simmons

Vote: **Yea:** **K Allen, R James, L Raymond, S Sanders, W Simmons**
 Nay: **None**
 Abstained: **None**
 Excused: **None**

Minutes recorded and prepared by C Craven.

Larry Raymond, Chairman

Caroline Craven, Secretary



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Rezone 1.198 acres of property from Agricultural (AGR) to Single-Family Traditional (SFT)

Applicant: Nick Zollinger

Project Location: Approximately 240 South 325 West

Hearing Date: 05/27/2015

Hearing Time: 6:15 p.m.

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on this zone change, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): 5/16/2015

Posting Date: 5/18/2015

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Providence/River Heights Library, 15 North Main
3. Providence Post Office, 411 W 100 North
4. Providence City Public Works Facility, 350 East Center

Also posted on www.providencecity.com and the Utah Public Notice Website

BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE NORTHEAST CORNER OF MEADOWRIDGE SUBDIVISION AND AT A POINT ON THE WEST LINE OF PINERIDGE ESTATES SUBDIVISION LOCATED SOUTH $69^{\circ}59'46''$ WEST, A DISTANCE OF 725.85 FEET FROM THE PROVIDENCE CITY STREET MONUMENT LOCATED AT THE INTERSECTION OF 200 SOUTH AND 200 WEST STREET; RUNNING THENCE NORTH $86^{\circ}33'16''$ WEST, A DISTANCE OF 216.71 FEET ALONG THE NORTH LINE OF MEADOWRIDGE SUBDIVISION; THENCE NORTH $01^{\circ}24'32''$ EAST, A DISTANCE OF 237.73 FEET; THENCE SOUTH $88^{\circ}35'28''$ EAST, A DISTANCE OF 215.49 FEET TO THE WEST LINE OF PINERIDGE ESTATES SUBDIVISION; THENCE SOUTH $01^{\circ}09'21''$ WEST, A DISTANCE OF 245.43 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

CONTAINING 1.198 ACRES AND TWO (2) LOTS.

Section 9, 10 Township 11 North Range 1 East

02-096

Scale 1 Inch = 200 Feet

T.U. 09

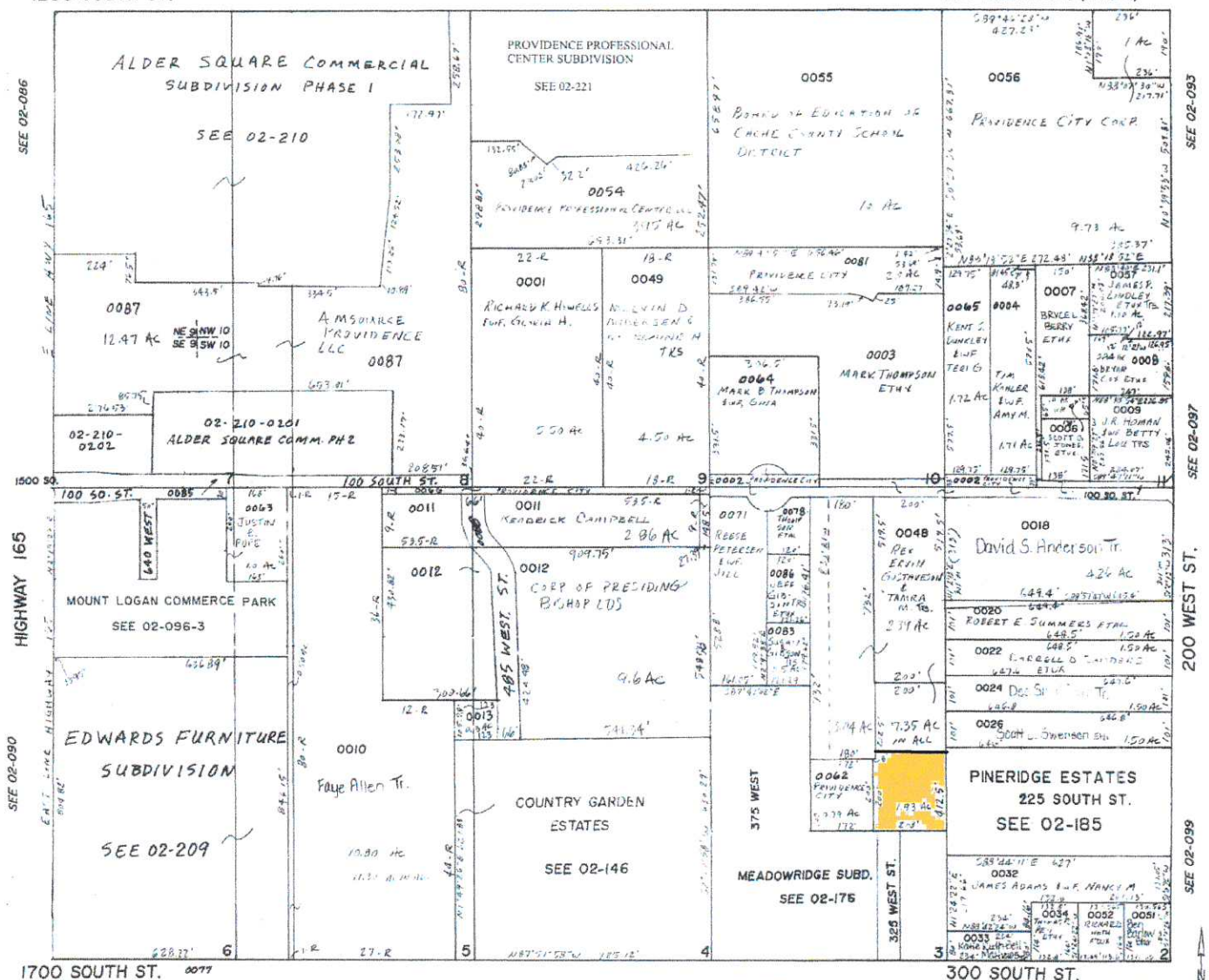
BLK. 27 PLAT "A" PROVIDENCE FARM SVY.

SEE 02-088

SEE 02-091

1200 SOUTH ST.

100 NORTH ST. (PROV.)



SEE 02-096-2

May 8, 2015

To whom it may concern,

The purpose of this letter is to grant permission to rezone the proposed land for Zollinger Subdivision. I, Rex Gustaveson (Landowner), authorize this rezone from agricultural land to residential land.

Thank you,

Rex Gustaveson

Landowner

A handwritten signature in blue ink that reads "Rex Gustaveson". The signature is written in a cursive style with a long horizontal flourish at the end.

May 8, 2015

To whom it may concern,

The purpose of this letter is to describe the purpose of the rezone request for the Zollinger Subdivision.
The purpose to rezone this land is for the development of two residential building lots.

Thank you,

Rex Gustaveson

Landowner

A handwritten signature in cursive script that reads "Rex Gustaveson". The signature is written in dark ink and is positioned below the printed name and title.



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Code Amendment

Applicant: Providence City

Project Description: Amendments to Providence City Code Title 10 Zoning Regulations, Chapter 5 Overlay Zones regarding hazard slope zones, engineering geotechnical report, and disclosures of other natural hazards.

Hearing Date: 05/27/2015

Hearing Time: 6:30 pm

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on this proposed code amendment, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): 05/16/2015

Posting Date: 05/18/2015

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Providence/River Heights Library, 15 North Main
3. Providence Post Office, 411 W 100 North
4. Providence City Public Works Facility, 350 East Center

Also posted on www.providencecity.com and the Utah Public Notice Website

CHAPTER 5

OVERLAY ZONES

SECTION:

- 10-5-1: Conditional Use Permit Required
- 10-5-2: Sensitive Areas
- 10-5-3: Hazard Flood Zone (HF)
- 10-5-4: Hazard Slope Zone (HS)
- 10-5-5: Hazard Water Table Zone (HW)
- 10-5-6: Hazard Earthquake Primary Fault Zone (HE)
- 10-5-7: Hazard Wildfire Zone (WF)
- 10-5-8: Engineering Geotechnical Report
- 10-5-9: Disclosure of Natural Hazard by Engineering Geotechnical Report

10-5-1: CONDITIONAL USE PERMIT REQUIRED: All requests for permits involving a lot, parcel or site located wholly or partially within an area designated on the Zoning Map as an overlay zone including; Hazard Flood Zone (HF), Hazard Slope Zone (HS), Hazard Water Table Zone (HW) or Hazard Earthquake Primary Fault Zone (HE), Hazard Wildfire Zone (WF), shall be dealt with as a request for a conditional use permit under the provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before any permit shall be issued. (Zon. Ord., 5-8-1991) (Ordinance Modification 011-99 04/13/99)

10-5-2: SENSITIVE AREAS (NDSA) AND (PDSA):

A. Sensitive areas are defined as follows:

Non-developable sensitive areas

The following areas are non-developable. None of the acreage encumbered by any of the following sensitive areas may be considered for development density, and none of the areas may be built upon or within except for required public utility and facilities. Any acreage encumbered by the following sensitive areas may be appealed to the Providence City Appeal Authority; and a determination of their development potential may be made.

1. Jurisdictional Wetlands As defined by the US Army Corps of Engineers.
2. Steep Slopes: Where the rise or fall of the land is equal to or exceeds thirty percent (30%) over a horizontal distance of fifty feet (50') or greater
3. Natural Waterways or open water: Including but not limited to: rivers, creeks, or streams. Identified as those areas where surface waters flow sufficiently to produce a defined

channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetation litter or loosely rooted vegetation by action of moving water. The channel or bed need not contain water year round. This definition is not meant to include stormwater runoff devices or entirely artificial watercourse unless they are used to store or convey pass through stream flows naturally occurring prior to construction of such devices. Watercourses where the definition may apply are those that appear on the US geological survey quad maps excluding irrigation canals and ditches. For instance, an irrigation canal following a natural or jurisdictional watercourse would not be exempt but others would be exempt.

Potentially developable sensitive areas.

The following areas are determined to be sensitive areas of Providence City and are subject to the requirements of this Chapter. These areas may be built upon based on the requirements of this section and other applicable city, state, and federal requirements. All acreage encumbered by any of the following sensitive areas may be considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s) with expertise in the field being discussed.

1. Steep slopes: Where the rise or fall of the land is between twenty percent and thirty percent (30%) over a horizontal distance of fifty feet (50') or greater.
2. Floodplains: See definitions in Chapter 16 Section 3 of this Title.
3. Crucial wildlife habitat areas: As identified by the State Division of Wildlife Resources (DWR).
4. Geologic hazard areas: Earthquake fault lines or areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the US

Geological Survey (USGS).

5. Wildfire hazards
areas:

Areas of the City designated as
having moderate to extreme potential
for wildfire hazards as identified by
the City.

B. Development of Sensitive Areas:

1. No land designated as a Non Developable Sensitive Area Overlay Zone may be considered for development density or disturbed in any manner during the development of adjacent lands except as reasonably necessary for the installation of required public utilities.
2. The lands within a Potentially Developable Sensitive Area Overlay Zone may be developed and built upon, subject to the requirements of this section and other applicable city, state, and federal requirements.
3. Land within a Potentially Developable Sensitive Area Overlay Zone may be considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s) with expertise in the field being discussed.
4. The designation of land as within a Non-developable Sensitive Area Overlay Zone or within a Potentially Developable Sensitive Area Overlay Zone, and the application of other requirements imposed under the authority of this chapter may be appealed to the Providence City Appeal Authority, as provided for in Chapter 2-5 of this Code.

10-5-3: **HAZARD FLOOD ZONE (HF):**

- A. An Area which may be subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commercial and City services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which could adversely affect the public health, safety and general welfare of the citizens of the City. The Hazard Flood Zone (HF) as shown on the Zoning Map is based upon the flood hazard data provided to the City by FEMA. Flood hazard data will be provided in the form of a Flood Insurance Rate Map (FIRM) (hereafter referred to as the "flood map") and a Flood Insurance Study (FIS) (hereafter referred to as the "flood study").
- B. Building Regulations: No dwelling unit, accessory building, church, school, public building, health care facility, residence or nursing home for the elderly or handicapped, nor any commercial, retail or industrial structure shall be constructed within a minimum distance as determined by the City from the top inside edge of the bank of any natural or manmade waterway that is located in a Hazard Flood Zone (HF). Under no circumstance shall any structure be permitted or constructed within thirty feet (30') of the top inside edge of the bank

of any natural or manmade waterway that is located in a Hazard Flood Zone (HF).

C. See Chapter 16 of this Title for flood plain regulations.

10-5-4: HAZARD SLOPE ZONE (HS):

A. Conditional Use Permit Required: An area where the natural slope of the land exceeds an average gradient through the building zones of thirty percent (30%) or greater and lands within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater may be designated as the Hazard Slope Overlay Zone. Within the Hazard Slope Overlay Zone, no construction or earth moving activity shall occur until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. A conditional use permit shall not be considered until adequate plans and engineering data are delivered to the City showing that:

1. No building or structure is to be located on any existing slope with an average gradient through the building zone of thirty percent (30%) or greater, nor within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater; and
2. A detailed erosion control, revegetation and bank stabilization plan has been approved by the City Engineer for any disturbances planned to existing slopes within the Hazard Slope Zone; and
3. A detailed site plan for any buildings or earth moving activities (roads, driveways, sewer or water lines, etc.) that show the location of the planned facilities and how they would fit in with the existing slope and landscape of the area (as shown by before and after contours) has been approved by the designated Land Use Authority.

B. New Subdivisions: In the case of new subdivisions, these conditional use permit requirements for all public facilities (roads, sewer and water lines, etc.) within a Hazard Slope Zone (HS) shall be included in the final plat and construction drawing phases of the approval process and approval of the final plat shall serve as the ~~conditional use permit for uses within the Hazard Slope Zone.~~ conditional use permit for roads, sewer, and water line and similar utility and infrastructure uses within the Hazard Slope Zone. An additional conditional use permit shall be required for the construction of buildings or structures, including homes, garages, and other such improvements within the Hazard Slope Zone (HS)."

Formatted: Strikethrough

10-5-45: HAZARD WATER TABLE ZONE (HW): Areas where potential ground water levels may occur within 12 feet of the natural grade may be designated as Hazard Water Table Overlay Zone. Within a Hazard Water Table Overlay Zone, no permit shall be issued for any construction or use until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. A conditional use permit

shall not be approved until adequate plans and engineering data are delivered to the Land Use Authority showing that no basement or cellar is to be built, that the percentage of the lot, parcel or site to be covered by buildings, parking spaces and paved surfaces does not exceed forty percent (40%) of the area of the lot, parcel or site and that the proposed use is not of a character to increase quantities of chemicals, fertilizers, pesticides or minerals or in any other way likely to contaminate the groundwater.

10-5-6 : HAZARD EARTHQUAKE PRIMARY FAULT ZONE (HE): No construction shall be permitted in any identified Hazard Earthquake Primary Fault Zone (HE) and/or landslide area until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. Said conditional use permit shall not be given until adequate plans and engineering data are provided showing:

- A. Location of Structures: Where public facilities, occupancy facilities, large structures and sewer and water systems are to be constructed. Detailed geotechnical investigations may be required so as to accurately and very specifically locate faults and/or landslide areas;
- B. Lines and Systems: Any sewer lines or disposal systems located beneath culinary water facilities; and
- C. Ground Response Map: Ground response maps identifying the areas most susceptible to ground motion. (Zon. Ord., 5-8-1991)

10-5-7 : HAZARD WILDFIRE ZONES: Areas having moderate to extreme potential for wildfire hazards shall be designated with the Hazard Wildfire Overlay Zone. Within the Hazard Wildfire Overlay Zone:

- A. Development shall provide for ready access to fire and other emergency equipment and for routes of escape to safely handle evacuations.
- B. Measures to mitigate wildfire hazards and risks may be required by the appropriate Land Use Authority based on the recommendation and review of the Fire Marshall.
- C. Property owners are encouraged to implement the following:
 - 1. Construct the roof with fire-resistant materials like tile or metal, asphalt or fiberglass shingles. Clean roof surfaces and gutters of pine needles, leaves, branches, etc. regularly to avoid accumulation of flammable materials.
 - 2. Inspect your property regularly, clearing dead wood and dense vegetation from at least 30' around your house. Rake piles of leaves and twigs. If on a hill, more space will be needed to protect your home. A fuel break should be maintained around all structures.

3. Move firewood away from the house or attachments like fences or decks.
4. Cover vents with wire mesh no larger than 1/8 of an inch to keep sparks from enter your home through vents.
5. Driveways should be wide enough for firefighting equipment to maneuver.

~~10-5-8: ENGINEERING GEOTECHNICAL REPORT: For those areas identified as an active or potential mapped earthquake fault and landslide areas, or areas determined by review to contain geologically unstable conditions, development may be permitted by the designated Land Use Authority upon the review and approval of an engineering geotechnical report.~~

Formatted: Strikethrough

~~A. The engineering geotechnical report shall be prepared by a licensed geotechnical engineer. The report shall be signed and dated by the preparer and shall also include the qualifications of the preparer.~~

~~B. The report shall be site specific and identify all known or suspected potential geotechnical or natural hazards, originating on site or off site, affecting the particular property.~~

~~C. The report shall include a detailed site map showing the location of the hazard(s) with delineation of the recommended setback distances from such hazard(s) and the recommended location for proposed structures.~~

~~D. The report shall address the potential effects of the hazard(s) on the proposed development and occupants thereof, in terms of risk and potential damage.~~

~~E. The report shall contain recommendations for avoidance or mitigation of the effects of the hazard(s). The evidence on which the recommendations and conclusions are based shall be clearly stated in the report. Trench logs, soil borings, aerial photographs, references with citations, and other supporting information as applicable, shall also be included in the report.~~

~~F. All engineering geotechnical reports submitted to the City shall be reviewed by the Utah geological survey for completeness, accuracy, and appropriate recommendations.~~

Formatted: Font: (Intl) Arial

10-5-910-5-8. ENGINEERING GEOTECHNICAL REPORT: For those areas identified as an active or potential mapped earthquake fault and landslide areas, or areas determined by review to contain geologically unstable conditions, and for all areas designated by a Sensitive Lands Overlay Zone Hazard Slope Zone (HS) or Hazard Primary Fault Zone (HE), development may be permitted by the designated Land Use Authority upon the review and approval of an engineering geotechnical report that complies with the provisions of this section. If a conditional use permit is required, the engineering geotechnical report shall be considered in the review of the conditional use permit application.

Formatted: Font: (Default) Arial, Strikethrough

Formatted: Right: 0", No bullets or numbering, Tab stops: Not at 0.58"

Formatted: Font: 12 pt

Formatted: Strikethrough

Formatted: Font: 12 pt

Formatted: Normal, Indent: Left: 0.08", No bullets or numbering

A. The site-specific soil/geologic report by a qualified geotechnical engineer shall identify all geologic hazards, whether on or off-site, if such hazard or hazards affects the particular property including the following hazard(s), unless determined prior to the preparation of the report by the City Engineer that the specific potential hazard or hazard does not need to be considered in the report:

Formatted: Font: 12 pt

Formatted: Font: 12 pt

1. Flood history and potential; proximity to known canals, lakes, streams and alluvial fan flooding;

2. Definition of any zones of deformation with respect to active faults and recommended setbacks therefrom;

3. Evidence for other mass movement of soil and rock (landslides, debris flows, rock falls);

4. Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of site;

5. Determination of ground water characteristics; and

6. Uncontrolled fill material within the building envelope of a lot or other uncompacted soils.

B. The report shall contain written recommendations for construction of structures and avoidance or mitigation of the hazards. Land drains alone through private property are not allowed and are discouraged through public property because long-term maintenance of drains cannot be guaranteed;

C. The report shall consider and contain data regarding the nature, distribution, and strength of soils within the project area. The soil report shall include a unified classification of all soils with an estimate of susceptibility to erosion, plasticity index, liquid limit, shrink-swell potential, and general suitability for development;

Formatted: Font: 12 pt

D. The report shall contain an estimate of the likely highest level of the water table considering the long-term effects of development and irrigation.

Formatted: Font: 12 pt, Underline, Font color: Red

E. The report shall include a statement by the qualified geotechnical engineer preparing the report that the safety and integrity of the proposed building or structure is not compromised by potential geologic hazards and that the proposed building or structure, as designed and proposed, can be built in a manner that complies with the soils, footings and foundation requirements of the applicable building code.

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Underline, Font color: Red

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

F. After the application is received by the City, the geologic and soil report will be reviewed by staff and, if the report finds that geologic hazards exist, the report will be reviewed by other geotechnical advisors which may include the Utah Geologic Survey (UGS). If after review, the geotechnical advisors concur with the geologic and soil report and the proposed remedial measures submitted by the applicant, the item will be forwarded to the land use authority designated to review the application for a conditional use permit.

G. The required reports and the plans to address the concerns set forth in those reports shall be stamped and approved by a licensed professional engineer. If the City Engineer does not agree with the applicant's geologic and soils report, the

City and the applicant for a conditional use permit may utilize the procedure for resolving such disputes found in Utah Code Ann. 10-9a-703(20 for the appeal of a determination made under a municipality's geologic hazards ordinance.

H. As provided in Section 10-3-5(E)(4) of this Ordinance, a conditional use permit may be denied, and use of the property therefore prohibited, if geologic hazards associated with the property cannot be substantially mitigated by the imposition of reasonable conditions and/or the requirements of the geologic and soil report and the provisions of the applicable building code related to soils, footings, and foundations are not met.

G. _____

Formatted: Strikethrough

10-5-10 : DISCLOSURE OF NATURAL HAZARD BY ENGINEERING GEOTECHNICAL REPORT: Wherever a potential natural hazard is identified by a required geotechnical report under this chapter, the owner of such parcel shall record a restrictive covenant running with the land in a form satisfactory to the City prior to the approval of any development or subdivision of such parcel, which shall include the following:

- A. Notice of the existence and availability of the engineering geotechnical report that identifies the natural hazards for public inspection in the City Office; and
- B. An agreement by the owner of the parcel and any successor in interest to comply with any conditions set by the City to minimize potential adverse effects of the natural hazard(s).

10-5-10: DISCLOSURE OF OTHER NATURAL HAZARDS: At any time after the designation of a particular parcel of land, or any portion thereof, as within a Sensitive Land Overlay Zone, the City may cause to be recorded at the Office of the Cache County Recorder a notice related to that land stating that the land lies within a Sensitive Land Overlay Zone. The notice may state that the construction of buildings and improvements on that land is subject to the provisions of the Providence City Ordinances related to Sensitive Lands, including a potential requirement to obtain a conditional use permit prior to the construction of a home or other buildings, structures or improvements on the land. Use of the land may not be allowed until a professional review is conducted, as provided in city ordinance, and reports are submitted that establish that any proposed home, building, or other structures or improvements to be erected upon the land can be built in compliance with relevant building codes and appropriate soil, flooding, and earthquake requirements. If qualified professionals cannot establish that a proposed use of the land can be conducted in a manner that complies with the health and safety provisions of the building code and other relevant standards, the proposed use of the land may be prohibited.

Formatted: Left



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Code Amendment

Applicant: Providence City

Project Description: Amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 1 Area Regulations and Section 3 Setbacks allowing attached uncovered decks to extend into the rear setback.

Hearing Date: 05/27/2015

Hearing Time: 6:30 pm

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on this project, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): 05/16/2015

Posting Date: 05/18/2015

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Providence/River Heights Library, 15 North Main
3. Providence Post Office, 411 W 100 North
4. Providence City Public Works Facility, 350 East Center

Also posted on www.providencecity.com and the Utah Public Notice Website

CHAPTER 8

AREA REGULATIONS AND PARKING REQUIREMENTS

SECTION:

- 10-8-1: Area Regulations
- 10-8-2: Lot Size
- 10-8-3: Setbacks
- 10-8-4 Height
- 10-8-5: Commercial Zoned Districts; Site Development
- 10-8-6: Parking Regulations
- 10-8-7: Site Requirements for Seasonal, Semi-Permanent, and Temporary Business Facilities
- 10-8-8: Low Power Towers and Antennas for Radio Communication

10-8-1: AREA REGULATIONS: Except as herein provided, no building, structure or part thereof shall be erected, altered or converted for any use permitted in the district in which it is located unless it is in conformance with all of the minimum regulations specified on the space requirement chart shown below.

SPACE REQUIREMENT CHART

Lot Size	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Min. lot area, square feet	5 ac	1 ac	20,500	12,000	10,000	8,000	6,000	5,000
Min. lot width (measured at setback line)	150	120	100	95	80	70	60	50
Min. lot area increase ea. Add'l unit, square feet	5 ac	1 ac	No add'l Units	0 No add'l units	2,000	4,000		
Max. units/ac excluding ROW, infrastructure^	0.2	1	2.13	3.75	4.5	5.5	5.5	8.5
Max. lot area per ea. Twin home, square feet^^					6,000	6,000		
Min. lot width, each unit (measured at setback line)					47.5'	47.5'		
Setbacks								
Principal uses:								
Front yard, ft.	25	^^^	^^^	^^^	^^^	25	20	20
Side yard, interior	25	20	10	10	10*	10	5###	5###
Side yard, street (OM 033-2004)	25	20	20	20	20	20	15	15
Rear yard	25	^^^	^^^	^^^	^^^	20	20	10

	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Detached Accessory Uses								
Front yard, ft.	25	30	30	30	30	25	25	20
Side yard, interior	10	5	5	5	5	5	5	5
Side yard, street	20	20	20	20	20	20	20	20
Rear yard	10	5	5	5	5	5	5	5
Distance between residential structures on same lot:	20	10		10				
Height:								
Principal Use, Max. hgt. ft.	35	35	35	35	35	35	35	35
Accessory Use, ft. max.	35	35	35	35	35	35	35	35
Principal Use, ft. min.	10	10	10	10	10	10	10	10
Fences – non game (max. height)								
Front yard, ft.	4	4	4	4	4	4	4	4
Side yard, interior	8	6	6	6	6	6	6	8
Side yard, street	4-6 ^{^^^}	4-6 ^{^^^}	6 ^{^^^}	6 ^{^^^}	4-6 ^{^^^}	4-6 ^{^^^}	4-6 ^{^^^}	6 ^{^^^}
Rear yard	8	6	6	6	6	6	6	8
Fences – game								
Front yard, ft.	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Side yard, interior	8	8	8	8	8	8	8	8
Side yard, street	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}	8 ^{^^^}
Rear yard	8	8	8	8	8	8	8	8

*See subsection 10-8-3B5 of this Chapter for further regulation and explanation.

**See subsection 10-8-3B9 of this Chapter for further regulation and explanation.

***See subsection 10-8-3C7 of this Chapter for further regulation and explanation.

#See subsection 10-8-3B4 of this Chapter for further regulation and explanation.

##See subsection 10-8-3C2, C3, and C4 of this Chapter for further regulation and explanation.

###See subsection 10-8-3B10 of this Chapter for further regulation and explanation. New sub-paragraph

^Infrastructure is defined to include rights-of-way, PUB, and REC districts within development.

^^Lots of record for twin homes are limited to 20% of total lots in development.

^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.

^^^^See subsection 10-9-2

Lot Size	MFR	MFM	MFH	CND	CGD	CHD	MXD	PUB	REC
Min. lot area, square feet	10,000					Zone		Zone	Zone
Min. lot width (measured at setback line)	80					not in		not in	not in
Min. lot area increase						use		use	use
ea. Add'l unit, square feet						pending		pending	pending
Max. units/ac excluding ROW, infrastructure^	7.25	12	18			ordinance		ordinance	ordinance
Max. lot area per ea. Twin home, square feet^^	5,000					change		change	change
Min. lot width, each unit (measured at setback line)	40.0'								
Setbacks									
Principal uses:									
Front yard, ft.	25	25	25	30	35	35			
Side yard, interior	10**	10**	10**	10	#	#		#	#
Side yard, street	20**	20**	20**	20	#	#		#	#
Rear yard	20***	10***	10***	20	#	#		##	##
Detached Accessory Uses:									
Front yard, ft.	25	25	25	30	35	35			
Side yard, interior	5	5	10	5	10	10		#	#
Side yard, street	20	20	25	20	10	10		#	#
Rear yard	5	5	5	5	10	10		##	##
Distance between residential structures on same lot:									
Height:									
Principal Use, Max. hgt. ft.	35	UBC IBC	UBC IBC	UBC IBC	UBC IBC	UBC IBC	IBC	UBC IBC	UBC IBC
Accessory Use, ft. max.	35	UBC IBC	UBC IBC	UBC IBC	UBC IBC	UBC IBC	ICB	UBC IBC	UBC IBC
Principal Use, ft. min	10	10	10	10	10	10	10	10	10
Fences (max. height)									
Front yard, ft.	6^AAA	6^AAA	8^AAA	6^AAA	C^AAA	C^AAA	6^AAA	8^AAA	8^AAA
Side yard, interior	8^AAA	8^AAA	8^AAA	6^AAA	8^AAA	8^AAA	6^AAA	8^AAA	8^AAA
Side yard, street	20**	20**	20**	6^AAA	C^AAA	C^AAA	6^AAA	8^AAA	8^AAA
Rear yard	20***	10***	10***	6	8	8		8	8

*See subsection 10-8-3B5 of this Chapter for further regulation and explanation.

**See subsection 10-8-3B9 of this Chapter for further regulation and explanation.

***See subsection 10-8-3C7 of this Chapter for further regulation and explanation.

#See subsection 10-8-3B4 of this Chapter for further regulation and explanation.

##See subsection 10-8-3C2, C3, and C4 of this Chapter for further regulation and explanation.

###See subsection 10-8-3B10 of this Chapter for further regulation and explanation. New sub-paragraph

^Infrastructure is defined to include rights-of-way, PUB, and REC districts within development.

^^Lots of record for twin homes are limited to 20% of total lots in development.

^^^^See subsection 10-9-2

10-8-2: LOT SIZE:

A. Lot Areas – Flexibility Exception:

1. The individual lot size must meet the minimum square footage requirements as indicated in the space requirement chart, as set forth in Section 10-8-1 of this Chapter. The following exception applies in a subdivision of six (6) lots or more in SFE, SFL and SFT Zones.
 - a. Purpose: To provide a means for desirable development, utilizing public facility space and open space, through the use of variations in lot size and frontage width. This is not intended to increase density.
 - b. The average of all lots must be equal to or greater than the minimum lot size for the zone, excluding non-residential uses such as schools, churches, etc.
 - c. The number of lots cannot exceed the maximum units for the zone.
 - d. A limit of ten percent (10%) of the lots can be less than the minimum lot size and/or reduced frontage width, but no lot can be less than twelve thousand (12,000) square feet in the subdivision and the frontage requirement at the setback line must be a minimum of eighty feet (80').
 - i. In areas that contain sensitive areas and hazard zoned (see Chapter 5 of this Title) thirty percent (30%) of the lots can be less than the minimum lot size and/or reduced frontage width, but no lot can be less than twelve thousand (12,000) square feet in the subdivision and the frontage requirement at the setback line must be the minimum for the zone.
2. Lots having less area than required, which were officially recorded with the Cache County Recorder's office at the effective date hereof, may continue to be used; provided, that all other requirements set forth herein are satisfied. No lot may hereafter be reduced in area below the minimum requirements set forth, except for the provisions of averaging listed in subsection A1 of this Section. (Zon. Ord., 5-8-1991; 1998 Code)
3. A twin home lot size must meet the minimum square footage requirements as indicated in the space requirement chart, as set forth in this Chapter, with the following exceptions:
 - a. Lot size average may be used as listed in subsection A1 of this Section.
 - b. Two adjacent lots with combined area meeting the minimum lot area shown in 10-

8-1 plus the minimum lot area for one additional unit may be used to build a single family attached dwelling on each lot. The dwellings area joined at the boundary between the two lots. This applies to zones where single family attached dwellings are permitted. (Ordinance Modification 98-021 10/13/98)

- B. Lot Width: The minimum lot width for uses in each of the zoning districts shall be in accordance with the information indicated on the space requirement chart shown in Section 10-8-1 of this Chapter. A lot having less width than herein required which was a lot officially on record in the office of the Cache County Recorder at the effective date hereof shall be acceptable; provided, that all other requirements set forth herein are satisfied. No lot may hereafter be reduced in width below the minimum requirements set forth.
1. Where an allowed side yard setback of a dwelling occurs five (5) feet from the property line, the adjacent dwelling shall maintain a minimum side yard of ten (10) feet, for a cumulative total dwelling separation of fifteen (15) feet. Each residential lot allowing five (5) foot side yard setback shall be required to have one side yard setback of ten (10) feet. (Ordinance Modification 011-99 04/13/99)
- C. Restricted Lots:
1. A restricted lot which meets all the requirements of this Title for a lot, but the creation of which has caused any adjacent lot, from which it was severed, to be insufficient in area, width, setback, yard, space or other requirements may be considered otherwise by adding or designating sufficient acreage to the adjacent lot to meet all the requirements of this Title for a lot. The added or designated land must be duly recorded in the Cache County Recorder's Office before a building permit may be issued.
 2. Building permits will not be issued for construction on restricted lots. (Zon. Ord., 5-8-1991)

10-8-3: SETBACKS:

- A. Front Yard:
1. The minimum required front yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter.
 2. The front yard shall be measured from the property line to the front face of the building, attached accessory building, accessory building, covered porch or covered terrace. Steps, uncovered porches, eaves and roof extensions may project into the required front yard for a distance not to exceed four feet (4').
 3. Where a building line has been established by a plat or covenant and such line requires a greater setback than is required by this Title, the building line established by plat or covenant shall prevail.

4. Gasoline service station pump islands may not be located closer than fifty feet (50') to the front property line (see subsection 10-8-6C7 of this Chapter.
5. A porch, stoop or stairs which are thirty inches (30") or greater in height shall be regarded as part of the building. Such porch, stoop or stairs requires a railing of not less than thirty inches (30") in height. This requirement applies to side and rear yards as well.
6. In residential districts, accessory buildings may be placed no closer than twenty five feet (25') to the property line, except in the SMH District which shall require only twenty feet (20').

B. Side Yard:

1. The minimum required side yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. Where a lawfully existing building at the effective date hereof has a smaller side yard than required herein, said side yard may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied. No side yard may hereafter be reduced below the minimum requirement set forth.
2. Every part of the required side yard shall be open and unobstructed, except for normal projections of window sills, belt courses, cornices, chimneys and other architectural features projecting no more than twenty four inches (24") into the required side yard, roof eaves projecting no more than thirty six inches (36") into the required side yard and accessory buildings occupying no more space of any principal use side yard than that permitted in Section 10-9-6 of this Title.
3. Where a fire wall of a dwelling, garage or carport is located on a property line, the roof shall be so designed and constructed so as not to drain water onto the adjoining lot and except for properties located in the Mixed Use District abutting other properties also located in the Mixed Use District, there shall be one side yard of at least twenty feet (20').
4. Whenever any use or district not normally requiring a side yard adjoins a use or district requiring a side yard, a minimum ten foot (10') side yard shall be maintained.
5. A single family attached dwelling separated by a fire or party wall need not provide a side yard on the fire or party wall side, except that no complex of attached dwelling units shall exceed three hundred feet (300') in length. A minimum side yard of ten feet (10') on the separated side of any attached dwelling unit shall be required so that the end of any two (2) building complexes shall be at least twenty feet (20') apart. (Ordinance Modification 98-021 10/13/1998)

6. A complex of multiple-family dwelling units shall maintain a minimum side yard of ten feet (10') so that any two (2) adjacent complexes shall be at least twenty feet (20') apart and maintain an open corridor for fire and other emergency vehicle access.
7. In residential districts, accessory buildings may be placed no closer than five feet (5') to the side property line if adjacent to a separate lot of record, nor less than twenty feet (20') if adjacent to a public street or road.
8. Gasoline service station pump islands shall be located no closer than twenty feet (20') from the side yard line if adjacent to a separate lot of record, nor less than fifty feet (50') if adjacent to a public street or road.
9. Structures containing four-family units or more shall maintain a minimum side yard equal to fifty percent (50%) of the building height, but in no case less than ten feet (10') if adjacent to a separate lot of record nor less than twenty feet (20') if adjacent to a public street or road.
10. Where an allowed side yard setback of a dwelling occurs five (5) feet from the property line, the adjacent dwelling shall maintain a minimum side yard of ten (10) feet, for a cumulative total dwelling separation of fifteen (15) feet. Each residential lot allowing five (5) foot side yard setback shall be required to have one side yard setback of ten (10) feet. (Ordinance Modification 011-99 04/13/99)
11. Property in a Mixed Use District may have lots which contain no side yards when the buildings on the adjoining lots utilize shared party walls. If the adjoining properties do not share party walls than a minimum of thirty (30) feet is required between adjoining buildings (15 foot side yard on each property.) In the Mixed Use District a thirty (30) foot alley is required a minimum of every 500 feet for access to parking located behind the buildings.

C. Rear Yard:

1. The minimum required rear yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. Where a lawfully existing building at the effective date hereof has a smaller rear yard than required herein, said rear yard may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied. No rear yard may hereafter be reduced below the minimum requirement set forth.
2. Nonresidential uses which have a rear lot line adjacent to an alley or other public right of way that is at least twenty feet (20') in width requires no minimum rear yard.
3. Nonresidential uses which have a rear lot line adjacent or contiguous to another

nonresidential use requires no minimum rear yard, provided the rear wall satisfies fire wall standards.

4. Nonresidential uses abutting or adjacent to a residential district shall maintain a minimum rear yard of twenty feet (20').
5. Normal projections of window sills, belt courses, cornices, chimneys and other architectural features may project no more than twenty four inches (24") into the required rear yard and roof eaves projecting no more than thirty six inches (36") into the required rear yard.
6. A deck is considered as an exterior floor system supported on at least two opposing sides by adjoining structures and/or posts, piers or other independent supports.
 - a. A deck which is less than 120 square feet and less than 30 inches above adjacent grade, and independently supported, will not require a building permit and is not considered part of the main structure.
 - b. An attached covered deck is considered part of the main dwelling and required to meet the associated setbacks.
 - c. A portion of an attached uncovered deck may project into the required rear yard no more than $\frac{1}{2}$ of the distance of the required rear yard (ie: required rear yard is 20 feet, the deck can project no more than 10 feet into the required yard); and, the projection may take up no more than 50% the required rear yard. The projection of the deck is included in the overall 25% limitation in Chapter 9 Section 6 of this Title.
 - d. Detached decks (designed and constructed having no physical connection to the primary structure) are considered an accessory use; and must be a minimum of five feet (5') from the primary structure.
 - e. No portion of any deck is permitted to be located within an easement or within 5 feet of a property line.
6. 7. Accessory buildings may be placed no closer than five feet (5') to the rear property line in residential districts (see Section 10-9-6 of this Title) and no closer than ten feet (10') in nonresidential districts.
7. 8. Structures containing four-family dwelling units or more shall maintain a minimum rear yard equal to fifty percent (50%) of the building height, but in no case less than twenty feet (20'). Zon. Ord., 5-8-1991)

10-8-4: HEIGHT:

- A. Established: The maximum and minimum heights for principal (or main) structures and the maximum height for accessory structures in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. There shall be no minimum height required of accessory structures. Where a lawfully existing building at the effective date hereof has a greater or lesser height than allowed herein, said height

may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied.

- B. Determination: The height of a building or structure shall be determined as the vertical distance as measured from the highest point of the roof of the building or structure down to a point representative of the average finished grade of the land around the perimeter of the building or structure. (Zon. Ord., 5-8-1991)

DRAFT

10-8-5: **COMMERCIAL ZONED DISTRICTS; SITE DEVELOPMENT:** All site development and landscaping in the commercial zoned districts (C1) shall conform to the minimum regulations specified herein: (Zon. Ord., 5-8-1991; 1998 Code)

A. ~~Landscaping:~~

1. ~~Parking Spaces:~~ Provisions shall be made to accommodate three hundred (300) square feet of landscaped area for every ten (10) parking spaces within the parking lot in any commercial district. The landscaped area shall consist of medians, islands, or area around the structures. A minimum of ten percent (10%) of the total lot is to be landscaped. The landscaped public area between the curb, gutter, and sidewalk is not used to meet the requirement. (Ord. 98-OM007, 3-24-1998)
2. ~~Median Adjacent Parking Aisle:~~ A landscaped median running the length of the adjacent parking aisle shall be provided for every two (2) contiguous double-loaded parking aisles.
3. ~~Width:~~ All planted medians shall be a minimum of ten feet (10') in width.
4. ~~Buffering:~~ All parking areas shall be visually buffered from main roadways with appropriate landscaping.
5. ~~Building:~~ A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc., are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. (Zon. Ord., 5-8-1991)
6. ~~Trees:~~ One tree (minimum 1¾ inch caliper, minimum 10 feet in height) shall be planted and maintained for each one thousand (1,000) square feet of landscaped area. Trees in portable planters shall not qualify to meet the tree requirements. (Ord. 98-OM007, 3-24-1998)
7. ~~Yard, Setback Areas:~~ All yards and setback areas not occupied by buildings or parking shall be landscaped as herein required. (Zon. Ord., 5-8-1991)
8. ~~Public Right of Way:~~ The area within the public right of way between the curb, gutter and sidewalk shall be landscaped. A minimum of one tree per thirty feet (30') frontage shall be planted and maintained. Trees must be a variety listed by the City as acceptable street trees, (minimum 1¾ inch caliper, minimum 10 feet in height). The tree requirement may be reduced or waived by the City for safety reasons. (Ord. 98-OM007, 3-24-1998)

B. ~~Curb, Gutter and Sidewalk:~~

1. ~~A curb shall be provided along all interior roadways to prevent vehicular intrusion.~~
2. ~~Curb/gutter and sidewalk may be required along the entire frontage of the lot if deemed desirable by the City for drainage purposes and pedestrian access, etc.~~

C. ~~Storage:~~ No storage or equipment or materials shall be visible from any public right of way. Storage areas shall be screened appropriately and be within setback lines.

D. ~~Docks, Service Areas:~~ Wherever practical, loading docks and service areas shall be located so as not to be visible from any public right of way. Every reasonable effort shall be made to screen docks and service areas from any public right of way.

E. ~~Installation; Performance Security:~~ No requests for any building, structure or other improvements shall be approved until site and landscape plans satisfactory to the Land Use Authority have been submitted. Landscaping and site developments in accordance with the approved plans shall be

~~installed within thirty (30) days following occupancy of the building. If said completion date is impossible due to adverse weather conditions, a mutually agreed upon completion date shall be determined by the City and the applicant, but in no case shall the completion date be more than one hundred fifty (150) days from the date of occupancy. The developer (or owner) shall hereby deposit a security of performance as specified in subsections 11-5-7B through C of the Subdivision Title as security to assure compliance with all landscaping and site requirements. If the developer or an agent of the developer fails to comply with the above installation and time requirements, the security of performance may be foreclosed upon by the City to cover costs of installing, repairing or replacing said landscaping and site developments.~~

~~F. Maintenance Responsibility: Maintenance of all landscaping shall be the sole responsibility of the landowner/developer. Failure to adequately maintain and protect said landscaping (as determined by the City) shall cause the landowner/developer to be guilty of a misdemeanor as detailed in Section 10-2-2 of this Title. (Zon. Ord., 5-8-1991)~~

10-8-5: COMMERCIAL ZONED DISTRICTS; SITE DEVELOPMENT: All site development and landscaping in the commercial zoned districts (C4) shall conform to the minimum regulations specified herein: (Zon. Ord., 5-8-1991; 1998 Code).

A. Site Plan Required. A site plan is an architectural plan, landscape architecture document, and a detailed engineering drawing of proposed improvements to a given lot. A site plan shows a building footprint, travelways, parking, drainage facilities, sanitary sewer lines, water lines, trails, lighting, and landscaping and garden elements. Commercial site plans must include:

1. Show north arrow, scale, building location, property lines, setbacks, abutting rights-of-way, parking layout, ADA parking and ramps, entrances to site, curbs, water and sewer lines, fire hydrants, fire lanes, storm drain lines and appurtenances.
2. Show all existing fire hydrants within 300 feet.
3. Show parking/loading computations for proposed use.
4. **Show connectivity with adjacent parking lots and interior private roadways.**
5. Show landscaping computations for proposed use.
6. Provide elevations with rendered elevations for all elevations. Include color renderings of design concept or intent, site elements, and building facades.
7. Provide floor plans; include the proposed low floor elevation.
8. Provide cross-sections of the site showing spatial relationships between all vertical elements (building, trees, berms, Light standards, etc.) as they relate to activities and use of streetscape, pedestrian, and parking areas.
9. Provide lighting and signage plan for the entire site. Indicate how signs will be illuminated, their design and spatial relationship to other site amenities including buildings, and a graphic example of each type of sign. This does not take the place of a sign permit application.
10. Provide storm water pollution prevention plan if the site disturbs an acre or more, or is part of a larger development.
11. Provide cost estimates for site development, including but not limited to: landscaping, parking/loading areas, pedestrian areas.
12. Summary data indicating the area of the site in the following classification: **total area of the lot**, total area and percentage of the site utilized by buildings, total area and percentage of the site in landscape area, total area and percentage of the site for parking areas (including the number of parking spaces).

B. Parking / Parking lots. Private parking lots within any development shall provide interior access to adjacent parking lots and interior private roadways. When new developments are being constructed adjacent to existing businesses the project shall join existing drives and parking lots at property lines. When new developments are proposed adjacent to undeveloped land or underdeveloped areas, the new developments shall construct connections which will allow joining of future roads or parking lots.

All accesses between interior lots and roads shall be open to the public for customer parking and access. INTERNAL NOTE: The following is being moved from 10-8-6 C.

1. Visitor, guest or customer drop-off zones and parking shall be provided near visitor or customer entrances into buildings and shall be separated from all-day employee parking.
2. Parking will not be permitted closer than 15 feet to the property line unless it is decided by the Land Use Authority to be in the best interest of the City to permit parking to be closer than 15 feet. (Ordinance Modification 019-99 07/27/99) A business that locates the parking in the rear of the building rather than the front will be allowed a front yard setback of 15 feet. The standard front yard setback will be used when a business locates the parking in the front of the building. When parking is allowed on the street adjacent to the building the standard front yard setback applies. (Ordinance Modification 009-2002 06/11/02)
3. Parking aisles shall not exceed forty (40) cars in a row. Total parking area shall be broken down into sections not to exceed one hundred (100) cars. Each section shall be separated by internal drives to improve traffic circulation.
4. All parking spaces must be designated properly by painter lines or other City-approved methods.
5. Minimum aisle dimensions (from face of curb to face of curb) shall be: 90° parking – 64 feet; 60° parking – 60 feet; 45° parking – 53 feet
6. One access shall be allowed per lot, as exists on the effective date hereof, or one access shall be allowed for each one hundred fifty feet (150') of frontage with a maximum of two (2) accesses per street frontage. Minimum distance between accesses shall be one hundred feet (100') and the minimum distance from the street intersection shall be one hundred feet (100'), except for service stations which are approved conditional uses where only two (2) accesses are allowed per lot with one frontage. A third access shall be allowed for the other street frontage on corner lots as long as it meets the frontage and distance requirements above. (OM 006-2005 02/08/05)
7. Handicap Parking: All private, public and City parking lots shall provide accessible handicap parking. Minimum design, sign and identification of handicap parking spaces shall be as specified in the Utah State Building Board Planning and Design Criteria to Prevent Architectural Barriers for the Aged and Physically Handicapped. (Zon. Ord., 5-8-1991)

- C. Landscaping: All landscaped area shall be planted with live plant material and include a permanent automatic irrigation system. The owner, tenant and agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance. The landscaped public area between the curb, gutter, and sidewalk is not used to meet the landscape requirements. See Title 7 Chapter 1 Section 8 of this code for park strip requirements.

1. Design initiatives.
 - a. To establish landscape themes that include street trees and streetscape designs throughout the City to promote and overall character and identity to the community.
 - b. Promote innovative and cost-conscious approaches to the design, installation, and maintenance of landscaping while encouraging water and energy conservation.
 - c. Promote planting techniques that ensure long term health of plant materials.
 - d. Screen unsightly building structures, equipment or materials from the view of persons on public streets or adjoining properties of incompatible land uses.
2. Definitions:
 - a. Buffering: plants placed intermittently against long expanses of building walls, fences, and other barriers to create a softening effect.
 - b. Landscaping: vegetative plantings such as grass, trees, shrubs, vines and related improvements such as pools, walkways, rockwork and sculpture which is of a design that will beautify and enhance a property, control erosion and reduce glare.

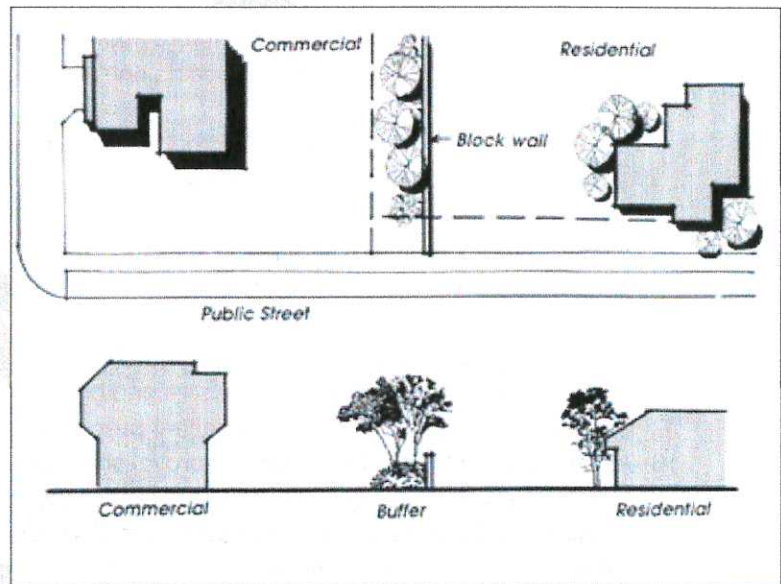
- c. Screening: masonry wall, fence, hedge, berm, or vegetative planning or combination thereof which is of a design (height, width, material, etc.) that will provide a visual and audible barrier between land uses having different intensities of use.
- 3. Large retail buildings (15,000 square feet and larger): shall require at least ten percent (10%) of the total lot be landscaped.
- 4. Retail buildings (detached - less than 15,000 square feet): shall require at least ten percent (10%) of the total lot be landscaped.
 - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
- 5. Professional / Office buildings: shall require at least fifteen percent (15%) of the total lot be landscaped.
 - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
- 6. Industrial / warehouse buildings: shall require at least ~~fifteen~~ **ten** percent (10%) of the total lot be landscaped.
 - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
- 7. Parking Areas: Landscaping in parking area shall be designed to provide the following:
 - a. Incorporate appropriate plantings that are in scale with their surroundings.
 - b. Separate roadways, travel paths, pedestrian paths etc. using landscaped islands and /or planter strips.
 - (1) Define area where pedestrians are safely separated from the travel path / roads.
 - (2) Reinforce way-finding by emphasizing entrances and circulations patterns.
 - c. Add aesthetic value, provide canopy shade, reduce radiant heat from the surface, reduce headlight glare, and add seasonal interest.
 - d. When possible, preserve mature trees and other significant landscape features which help define the character of the City.
 - e. When planted parking medians are used, they shall be a minimum of ~~40~~ **6** feet (40' **6"**) wide.
 - f. Planted islands shall be a minimum of ~~twenty-five~~ **(25)** square feet.
- 8. **Xeriscape.** Xeriscape is landscaping that reduces or eliminates the need for supplemental water from irrigation. It is different from natural landscaping, because the emphasis is on selection of plants for water conservation, not necessarily selecting native plants. Xeriscape landscaping can work well in Utah's desert climate. Xeriscape landscape is not zero-scape; it is an area filled with color, scent and variety. Trees can be used effectively in xeriscape and with property planning, planting, and care, they will thrive in low-water landscape.
- 9. **Low Impact Development (LID).** LID is a stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed

decentralized micro-scale controls. LID's goal is to mimic a sites predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Developments are encouraged to implement LID's.

10. Trees. One tree (minimum two inch (2") caliper, minimum 10 feet in height) shall be planted and maintained for each one thousand (1,000) square feet of landscaped area. Trees in portable planters shall not qualify to meet the tree requirements.
 - a. Trees within overhead utility easements shall be of a type that customarily grows to a height not exceeding fifteen feet.
11. Plants. The selection of plant materials should consider public health and safety. Plants to be avoided include those with poisonous fruits, large thorns, or invasive growth patterns. The ultimate form and height of plantings as they mature should be considered so they will not create unsafe conditions or block sight lines for pedestrians, bicyclists, or motorists.

- a. Planting beds may be mulched with bark chips, decorative stone, or similar materials. Mulch shall not be used as a substitute for plants.

12. Landscaped buffer. A landscaped buffer is defined as a landscaped area whereby trees and other plan materials are used to create a wide, landscaped park- or garden-like area around the perimeter, or in the side and/or rear yard, of a property in order to physically and visually separate and mitigate undesirable environmental impacts (such as:



noise, dust, stormwater, etc.) between commercial zones and residential zones. Generally accepted scale for landscape buffers. The following minimum and maximum width of transitional yards and screening should be used between commercial and residential uses:

- a. Minimum width: 10 feet to 15 feet
 - b. Maximum width: 25 feet to 50 feet
 - c. Where commercial buildings are less than 5,000 square feet in area, a minimum 10 feet to 25 feet buffer is substantial. Otherwise if the building area is greater than 5,000 square feet in area, a landscape buffer should be between a minimum 25 feet and 50 feet.
13. Planting materials in the landscape buffer.
 - a. Choose plants that will naturally grow to the desired form or height to reduce maintenance. No limbing up (this will lessen the life and strength of the tree).
 - b. Tree canopies should have a natural growth height of at least 8 feet from the ground when located around areas in the clear-view area (see Chapter 9 of this Title). Tree canopies should have a natural growth height of at least 4 feet from the ground when located around parking areas, walkways, etc.
 - c. New trees and shrubs should be evenly spaced at planting, with trees having an 8-foot minimum installed height, and shrubs having a 36-inch minimum installed height.
 - d. Landscaping in the landscape buffer should consist of a minimum of 6 large maturing trees (minimum 50% evergreen) and 40 medium shrubs (minimum 75% evergreen) for each 100

linear feet, to provide continuous coverage. For dimensions of less than 100 feet, plantings and spacing will be in proportion to the basic ratio.

14. **Snow storage.** Landscape materials surrounding parking lots and in islands and medians should be able to tolerate large quantities of snow stored during winter months. Delicate plant material should not be used in area where they are likely to be damaged by snow.
15. **Lighting.** The intent of lighting is to provide the necessary lighting to ensure pedestrian safety, night vision for pedestrians and automobiles, add aesthetic value to the city appearance, and not create or cause excessive glare onto adjacent properties.
 - a. Lighting height and location shall be designed to illuminate the site only. Light cutoffs are required to prevent spillover of direct light.
 - b. Pedestrian street lights or lampposts located within the public right-of-way are required in all commercial zones.
 - c. Pedestrian street lights or lampposts located within the public right-of-way shall be mounted between 8' to 16' above grade to provide continuous illumination of all street sidewalks.
 - d. Pedestrian street lights or lampposts shall reflect the architectural design characteristic of the surrounding area.
 - e. ~~Exterior building lights affixed to building on street front elevations shall be mounted between 6' to 14' above the adjacent grades.~~
 - f. Up-lighting is not permitted, except as approved through the site plan review for highlighting signature landscape features or building elements.
 - g. HID or fluorescent tube lights (except compact fluorescent bulbs) are not permitted as exterior building lights.
 - h. Floodlights or directional lights permitted for the lighting of alleys, parking garages and outdoor working areas must be shielded or directed to prevent the source of light (bulb or lamp) from being seen from adjacent properties or public rights-of-way.
16. All landscape plans submitted for approval shall contain the following information unless specifically waived by the City. ~~The final landscaped plan shall be stamped by a Utah Licensed Architect and include a statement demonstrating how the design and installation will conserve water.~~ At the discretion of the City a final landscaped plan may require a stamp from a Utah Licensed Landscape Architect.
 - a. The location and dimensions of all existing and proposed structures, property lines easements, parking lots and drives, roadways and rights of way, sidewalks, bicycle paths, ground signs, bicycle parking areas, fences, freestanding electrical equipment, tot lots, and other recreation facilities.
 - b. The location, quantity, size and name, both botanical and common names, of all proposed plants.
 - c. The location, size and common names, of all existing plants including trees and other plants in the parkway, and indicating plants to be retained and removed.
 - d. The locations of existing buildings and structures and plants on adjacent property within twenty feet (20') of the site.
 - e. Location and heights of fences and retaining walls proposed on the site.
 - f. ~~Irrigation plan(s) must also be included and must be stamped by a Certified Irrigation Designer (CID), professional engineer (PE), Licensed Landscape Architect. Irrigation plans must demonstrate water conservation.~~ At the discretion of the City a final irrigation plan may require a stamp from a Utah Licensed Landscape Architect.
17. **Completion; Performance Security.** No requests for any building, structure or other improvements shall be approved until site and landscape plans have been approved by the Administrative Land Use Authority.

- a. Landscaping and site developments in accordance with the approved plans shall be installed within thirty (30) days following occupancy of the building.
 - b. If said completion date is impossible due to adverse weather conditions, a mutually agreed upon completion date shall be determined by the City and the applicant, but in no case shall the completion date be more than one hundred fifty (150) days from the date of occupancy. The developer (or owner) shall hereby deposit a security of performance as specified in subsections 11-5-7B through C of the Subdivision Title as security to assure compliance with all landscaping and site requirements. If the developer or an agent of the developer fails to comply with the above installation and time requirements, the security of performance may be foreclosed upon by the City to cover costs of installing, repairing or replacing said landscaping and site developments.
- D. Undeveloped Area. All areas of the parcel on which development is taking place shall be regulated by this chapter. Land which is not covered by the building(s), parking lots, roads, landscaping or otherwise improved shall, as a minimum, be restored with natural vegetation and maintained so as not to create a weed nuisance (see Title 4 Chapter 2 of this Code), or the area may be maintained in agricultural production.

10-8-6: **PARKING REGULATIONS:** Except as herein provided, no building or structure shall be constructed, altered or converted for or to any use unless there shall be provided on the lot or parcel vehicle parking of at least the following ratio of vehicle spaces for the uses specified in the designated districts and that all roadways comply with the standards contained herein. The exception being that, an established use lawfully existing at the effective date hereof need not provide parking or roadways as herein set forth and that no existing vehicle parking or roadways be reduced or further reduced below the minimum standards herein required.

A. Schedule: In all districts, the following off-street parking schedule shall apply:

1. Dwelling Unit:

- a. Two (2) spaces for each unit, except as provided in subsection A1b and A1c of this Section.
 - b. Dwelling unit occupied by four (4) or more individuals unrelated by blood, marriage or adoption; two (2) spaces per three (3) individuals, plus one additional space for each additional individual exceeding three (3) and up to and including five (5) individuals.
 - c. Multi unit residences for persons with disabilities and/or residential facility for the aged; when evidence presented by the applicant warrants, the Land Use Authority may allow a number less than two (2) space per dwelling unit; but not less than 1.5 spaces per dwelling unit to the City Council. (Ordinance Modification 002-02 03/26/02)
2. Clinic or Doctor's Office: Ten (10) spaces per clinic or four (4) spaces per doctor or dentist, plus three (3) additional spaces for each doctor or dentist over three (3).
3. Restaurant or Cafeteria: One space for each four (4) fixed seats and one space for each forty (40) square feet of floor area for moveable seating under maximum seating arrangement.
4. Office, General: One space for each two (2) employees working the shift with the greatest number of employees.
5. Commercial:

- a. Recreation And Amusement: One space for each two hundred fifty (250) square feet in use.
- b. Retail Or Personal Service: One space for each two hundred fifty (250) square feet in use.
- 6. Churches, Meeting Rooms, Public Assembly: One space for each five (5) fixed seats and one space for each fifty (50) square feet of floor area for moveable seating under maximum seating arrangement.
- 7. Storage or Warehouse: One space for each five thousand (5,000) square feet or floor area.
- 8. Manufacturing, Process or Repair: One space for each two (2) employees working the shift with the greatest number of employees.

B. General Requirements:

- 1. Buildings, Developments; Computation: In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements of all of the buildings, structures or uses in the development.
- 2. Single-Family Dwelling: Single-family dwelling unit (detached or attached) parking shall be provided only in a private garage, driveway, or in an area properly located for a future garage.
- 3. Plan Approval: Prior to the issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be forwarded to the Land Use Authority for the process of City approval. Approval shall be based on:
 - a. Adequate number of spaces, including handicap spaces if required;
 - b. Relationship of parking to use;
 - c. All parking spaces being usable and accessible by adequate roadway/parking configuration; and
 - d. Parking stalls being nine feet in width by twenty feet in length (9' x 20') and on a hard paved surface (see subsection D of this Section for handicap parking requirements for individuals with disabilities.). Access to all stalls shall also be of a paved hard surface.
- 4. Location: Parking space as required above shall be on the same lot with the main building, or in the case of nonresidential buildings, it may be located no further than three hundred feet (300') therefrom. (Zon. Ord., 5-8-1991)

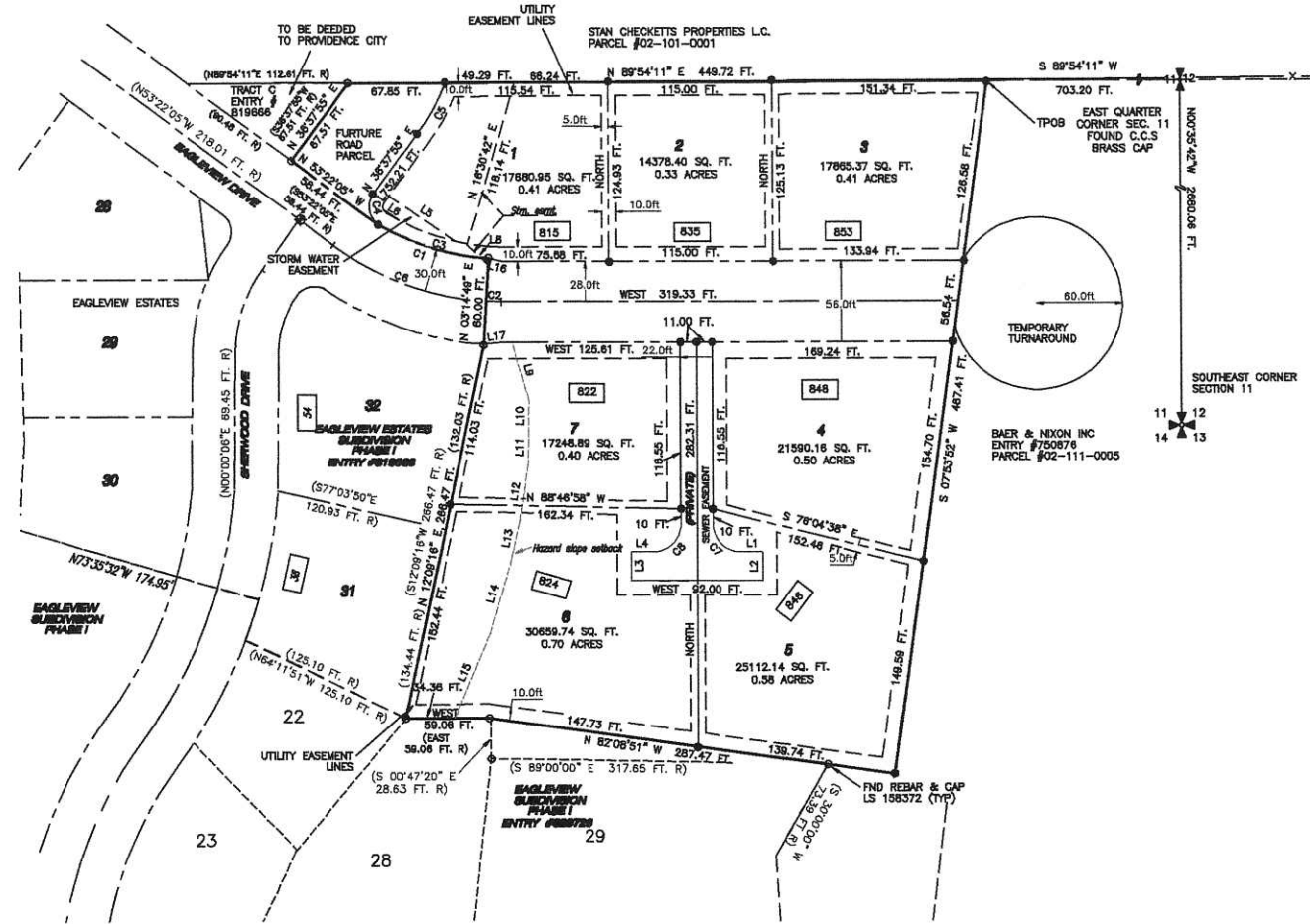
~~C. Commercial General (CGD) Zoned District:~~

- ~~1. Visitor, guest or customer drop-off zones and parking shall be provided near visitor or customer entrances into buildings and shall be separated from all-day employee parking.~~
- ~~2. Parking will not be permitted closer than 15 feet to the property line unless it is decided by the Land Use Authority to be in the best interest of the City to permit parking to be closer than 15 feet. (Ordinance Modification 019-99-07/27/99) A business that locates the parking in the rear of the building rather than the front will be allowed a front yard~~

setback of 15 feet. The standard front yard setback will be used when a business locates the parking in the front of the building. When parking is allowed on the street adjacent to the building the standard front yard setback applies. (Ordinance Modification 009-2002 06/11/02)

3. ~~Parking aisles shall not exceed forty (40) cars in a row. Total parking area shall be broken down into sections not to exceed one hundred (100) cars. Each section shall be separated by internal drives to improve traffic circulation.~~
4. ~~All parking spaces must be designated properly by painter lines or other City-approved methods.~~
5. ~~Minimum aisle dimensions (from face of curb to face of curb) shall be:~~
 - ~~When 90° parking — 64 feet~~
 - ~~When 60° parking — 60 feet~~
 - ~~When 45° parking — 53 feet~~
6. ~~One access shall be allowed per lot, as exists on the effective date hereof, or one access shall be allowed for each one hundred fifty feet (150') of frontage with a maximum of two (2) accesses per street frontage. Minimum distance between accesses shall be one hundred feet (100') and the minimum distance from the street intersection shall be one hundred feet (100'), except for service stations which are approved conditional uses where only two (2) accesses are allowed per lot with one frontage. A third access shall be allowed for the other street frontage on corner lots as long as it meets the frontage and distance requirements above. (OM-006-2005-02/08/05)~~
7. ~~Handicap Parking: All private, public and City parking lots shall provide accessible handicap parking. Minimum design, sign and identification of handicap parking spaces shall be as specified in the Utah State Building Board Planning and Design Criteria to Prevent Architectural Barriers for the Aged and Physically Handicapped. (Zon. Ord., 5-8-1991)~~

AMENDED FINAL PLAT
FOR
EAGLEVIEW ESTATES, PHASE 2
SECTION 11, TOWNSHIP 11 NORTH RANGE 1 EAST SL B&M
PROVIDENCE CITY, CACHE COUNTY, UTAH



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	170.00	99.08 FT.	97.98 FT.	N 70°03'58" W
C2	200.00	11.33 FT.	11.33 FT.	N 68°22'35" W
C3	170.00	90.49 FT.	88.43 FT.	N 74°49'02" W
C4	15.00	25.17 FT.	22.32 FT.	N 11°28'04" W
C5	145.00	40.51 FT.	40.36 FT.	N 29°37'40" E
C6	200.00	118.34 FT.	114.89 FT.	N 70°03'58" W
C7	20.00	31.42 FT.	28.28 FT.	N 45°00'00" W
C8	20.00	31.42 FT.	28.28 FT.	S 45°00'00" W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	EAST	15.00 FT.
L2	SOUTH	20.00 FT.
L3	NORTH	20.00 FT.
L4	EAST	15.00 FT.
L5	N 55°36'50" W	55.81 FT.
L6	S 55°36'50" E	13.49 FT.
L7	N 36°37'55" E	5.65 FT.
L8	N 48°32'07" W	20.11 FT.
L9	N 15°48'47" W	39.87 FT.
L10	S 07°28'23" W	22.09 FT.
L11	S 01°29'42" W	22.78 FT.
L12	N 06°13'47" E	39.89 FT.
L13	N 12°24'46" E	27.45 FT.
L14	N 16°29'30" E	53.24 FT.
L15	N 22°57'57" E	94.73 FT.
L16	N 76°14'37" W	9.56 FT.
L17	N 83°29'44" E	12.75 FT.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OFFICERS OF THE BAER & NIXON CORPORATION, OWNERS OF EAGLEVIEW ESTATES PHASE 2, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN ON THIS PLAT, DO HEREBY GRANT AND DEDICATE TO THE PERPETUAL USE OF THE PUBLIC, THE PARCEL OF LAND TO BECOME EAGLEVIEW DRIVE, WATER WORKS, SEWER WORKS, ECT. INCLUDED IN THE PROPOSED SUBDIVISION, ON SAID PLAT.

ALL NECESSARY IMPROVEMENTS WILL BE FINANCED AND INSTALLED BY THE DEVELOPER AND PLACED UNDERGROUND.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURE THIS _____ DAY OF _____, 2015.

PRESIDENT - LEX BAER

SECRETARY - E.J. NIXON, JR.

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH)
SS
CACHE COUNTY)

ON THE _____ DAY OF _____, A.D. 2015, PERSONALLY APPEARED BEFORE ME LEX BAER, E.J. NIXON, JR. BEING DULY SWORN BY ME, DID SAY THAT THEY ARE THE OFFICERS OF BAER & NIXON INC., A UTAH CORPORATION, AND THAT THE SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF THE BOARD OF DIRECTORS AND THE APRESAID OFFICERS ACKNOWLEDGED TO ME THAT THE SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____
I RESIDE AT: _____ NOTARY PUBLIC

COUNTY SURVEYOR'S APPROVAL

APPROVED FOR FILING WITH THE COUNTY RECORDER OF CACHE, COUNTY, UTAH
THIS _____ DAY OF _____, 2015.

PRESTON WARD, P.L.S.

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 2015,
BY THE PROVIDENCE CITY ATTORNEY.

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 2015,
BY THE PROVIDENCE CITY ENGINEER.

_____, P.E.

PROVIDENCE CITY CULINARY WATER AND WASTEWATER
AUTHORITY APPROVAL

APPROVED BY THE PROVIDENCE CITY CULINARY WATER
AUTHORITY AND WASTEWATER AUTHORITY

RANDY ECK, PROVIDENCE CITY
PUBLIC WORKS DIRECTOR

PLANNING & ZONING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 2015,
BY PROVIDENCE CITY PLANNING AND ZONING COMMISSION.

_____, CHAIRMAN

MAYOR'S APPROVAL

APPROVED THIS _____ DAY OF _____, 2015,
BY THE PROVIDENCE COUNCIL.

_____, RECORDER

_____, MAYOR

NOTES:

1. BASIS OF BEARINGS FOR THIS SUBDIVISION IS THE NORTH LINE OF FOXRIDGE, UNIT 8 WHICH IS SOUTH 89°42'00" WEST.
2. PUBLIC UTILITY EASEMENTS
10 FT ALONG LOT FRONT
5.0 FT ALONG LOT SIDES AND REAR (INTERIOR)
10 FT ALONG REAR (EXTERIOR)
3. MONUMENTATION
SUBDIVISION BOUNDARY:
• 5/8" X 24" REBAR W/ALUM. CAP
LOT CORNERS:
• 5/8" X 24" REBAR W/ALUM. CAP
• PROVIDENCE CITY SURVEY MONUMENT
• FOUND PIN
ADDRESS BLOCK
4. BUILDING SET BACK REQUIREMENTS
50.00 FEET COMBINE FRONT AND REAR WITH A MINIMUM OF 20.00 FEET.
5. THE PRIVATE DRIVE WILL BE OWNED BY LOTS 5 AND 6. THERE WILL BE A SHARED ACCESS AGREEMENT BETWEEN THE OWNERS OF LOTS 5 AND 6 FOR INGRESS/EGRESS. ACCESS WILL ALSO BE GRANTED FOR EMERGENCY AND SERVICE VEHICLES. THE ROAD WILL BE CONSTRUCTED BY THE SUBDIVIDERS.
6. THERE WILL BE NO PARKING ALLOWED ALONG THE PRIVATE DRIVEWAY.
7. THERE WILL BE NO HOMEOWNER'S ASSOCIATION FORMED. THE OWNERS OF LOTS 5 AND 6 WILL BE RESPONSIBLE FOR MAINTAINING THE PRIVATE DRIVE. THE OWNER OF LOT 1 WILL BE RESPONSIBLE FOR MAINTAINING LANDSCAPING ON THE STORM WATER DETENTION LOCATED IN LOT 1.
8. TRACT C OF PHASE 1 WILL BE DEEDED TO PROVIDENCE CITY.
9. THE DEVELOPER AGREES TO DEDICATE AN EASEMENT AT THE TIME OF RECORDING THE FINAL PLAT FOR THE TEMPORARY TURNAROUND SHOWN AT THE EAST END OF EAGLEVIEW DRIVE ON THE EAST SIDE OF THE EAST BOUNDARY OF THE DEVELOPMENT.
10. DEVELOPER AGREES UPON A PROPOSED TRAIL AT THE EAST END OF THE DEVELOPMENT. THE ACTUAL LOCATION OF THIS TRAIL AND THE ASSOCIATED EASEMENT WILL BE DETERMINED WHEN AN OVERALL TRAIL SYSTEM THAT CONTAINS THROUGH THE ADJACENT PROPERTY TO THE NORTH AND SOUTH OF EAGLEVIEW PHASE 2 IS APPROVED BY PROVIDENCE CITY.
11. THESE LOTS ARE SUBJECT TO AN OVERHEAD POWER LINE EASEMENT AS RECORDED UNDER ENTRY NUMBER 1119895 IN THE OFFICIAL RECORDS OF CACHE COUNTY.

UTILITY STATEMENT

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING ELECTRIC SERVICE WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

RECORDER'S CERTIFICATE

ENTRY NO. _____
DATE _____ TIME _____
RECORDED BY _____
RECORDED BY _____
FEE _____

LEGEND

EXISTING FENCE
DEED (RECORD) LINE
SECTION CORNER
FOUND SET 5/8" REBAR
W/ ALUMINUM CAP
PROPERTY CORNER
FOUND SET 5/8" REBAR
W/ ALUMINUM CAP

AMENDED FINAL PLAT
EAGLEVIEW ESTATES, PHASE 2
SECTION 11, T. 11 N. R. 1 E. SL B&M
CACHE COUNTY, UTAH

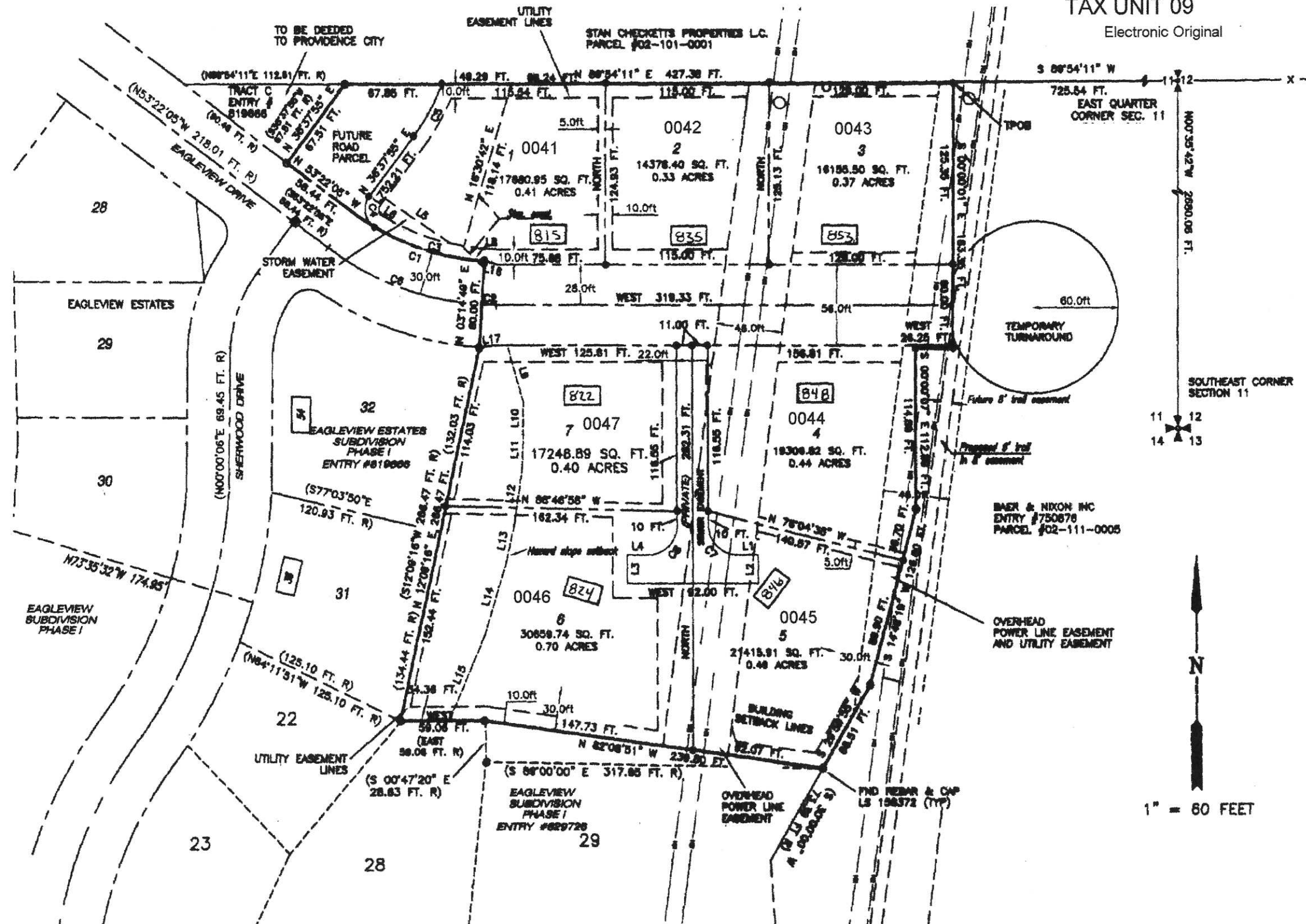
LAND SURVEYORS
CONSULTING CIVIL ENGINEERS
A.A. HUDSON
AND
ASSOCIATES

180 EAST 2ND SOUTH
PRESTON, IDAHO 83276
(208) 822-1155

DRAWING: EAGLEVIEW PHASE 2.PFD.DWG

SECTION 11, TOWNSHIP 11 NORTH RANGE 1 EAST SL B&M
PROVIDENCE CITY, CACHE COUNTY, UTAH

Electronic Original



ZONING

Background

A zoning ordinance was prepared and approved by the city council in 1991. Although eight zones were approved, most of the city was zoned 'R1' for 'single family residential', and 'A' for 'agricultural'. In the late 1980's the first 'R2', 'single family 10,000 sf lot', was approved. In 1996 the Utah State Legislature passed the 'Affordable Housing Bill #295, effective 1998, requiring each jurisdiction to provide their share of affordable housing. In order to meet this requirement a new use chart providing additional zones was adopted in 1999. Smaller lot size in single family, multi-family, and commercial zones were part of this latest modification.

Principles

- Protect and promote the health, safety, order, prosperity, and general welfare of the present and future inhabitants of the City.
 - Protect life and property from natural hazards, and assure efficient and safe traffic movement.
 - Conserve the value and integrity of rural residential neighborhoods, assure orderly growth, preserve culturally and historically important sites and landmarks, encourage good visual quality, and high aesthetic standards.
 - Efficiently utilize and conserve the City's resources.
 - Encourage attractive and functional commercial centers, and increase and stabilize the local tax base.
-

Master Plan Directive

The major goal of master plan zoning is to propose the direction in which the remaining areas of the city should develop. The city has accepted its responsibility for affordable housing by upgrading the use chart to include higher density zones. These zones should generally be on the perimeter of the city with good access to major roads without going through the core of the city. Zoning limits the number of houses per acre and allows for flexible development concepts.

The property along Highway 165 and the northwest part of Providence must be limited to commercial development. Development should consist mostly of retail sales to allow an increase in the city tax base (**Commercial Highway District – CHD**). Commercial development outside of the mixed use district should have at least 30% green space to preserve the open and green character of the city. (Res 09-035 12/08/2009)

No building construction should be considered above the deer fence.

Flexible planning concepts should be incorporated into the zoning ordinances allowing the city greater opportunity to create neighborhoods consistent with the Master Plan principles.

Current concerns include:

1. 1999 Use Chart
The master plan does not currently display the desirable areas for the new zones.
2. Zoning ordinance need further coordination and clarification, including:
performance based zoning criteria.
3. The new use chart may allow too many small lots

Future Needs:

Residential

- Planning for safe neighborhoods.
- Planning neighborhoods consistent with Master Plan principle.
- As property currently in the County, on the north side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).
- As property currently in the County, on the east side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).

Commercial

- Consider neighborhood commercial at 8th south and 10th east, 3rd north and 1st east.
- Offer incentives for retail development.
- Development pays up-front cost.
- Rezone the property on the west side of SR165 to Commercial Highway District (CHD)
- Rezone the property on the east and west sides of SR165 to CHD from 300 South to the Providence / Millville boundary, as the property is annexed into the City.

Annexation

- Preserve and protect annexation declaration. Include Theurer property at southwest, and Celco property at southeast bench. Also include all properties south of Oliver Low's to USU property and west side of Hwy 165, and designate for commercial.

PROVIDENCE CITY MASTER PLAN

SHEET No. 5-C

ZONE DISTRICTS OF FUTURE ANNEXATIONS

THIS MAP IS THE PLAN FOR ZONING DISTRICTS
IN FUTURE ANNEXATIONS TO PROVIDENCE CITY.



APPROVED BY THE CITY OF PROVIDENCE
DATE: 10-1-07
PROJECT NO. 07-001

LEGEND

-----	PROVIDENCE CORPORATE LIMITS
-----	FUTURE PROVIDENCE CORP. LIMITS
-----	ADJACENT CITY LIMITS
-----	ZONING DISTRICT BOUNDARY
-----	PROPERTY LINE
00-000-0000	PROPERTY TAX NUMBER
+	SECTION CORNER
ZONING DISTRICTS	
AGR	AGRICULTURAL DISTRICT
SFE	SINGLE FAMILY ESTATE DISTRICT
SFT	SINGLE FAMILY TRADITIONAL DISTRICT
SFR	SINGLE FAMILY RESIDENTIAL DENSITY DISTRICT
SFM	SINGLE FAMILY MEDIUM DENSITY DISTRICT
SFH	SINGLE FAMILY HIGH DENSITY DISTRICT
SMH	SINGLE FAMILY MOBILE HOME DISTRICT
MFR	MULTI-FAMILY RESIDENTIAL DENSITY DISTRICT
MFM	MULTI-FAMILY MEDIUM DENSITY DISTRICT
MFH	MULTI-FAMILY HIGH DENSITY DISTRICT
CND	COMMERCIAL NEIGHBORHOOD DISTRICT
CGD	COMMERCIAL GENERAL DISTRICT
○	OVERLAY ZONE SPECIAL REGULATIONS
○	OVERLAY CITY PROPERTY & PARKS

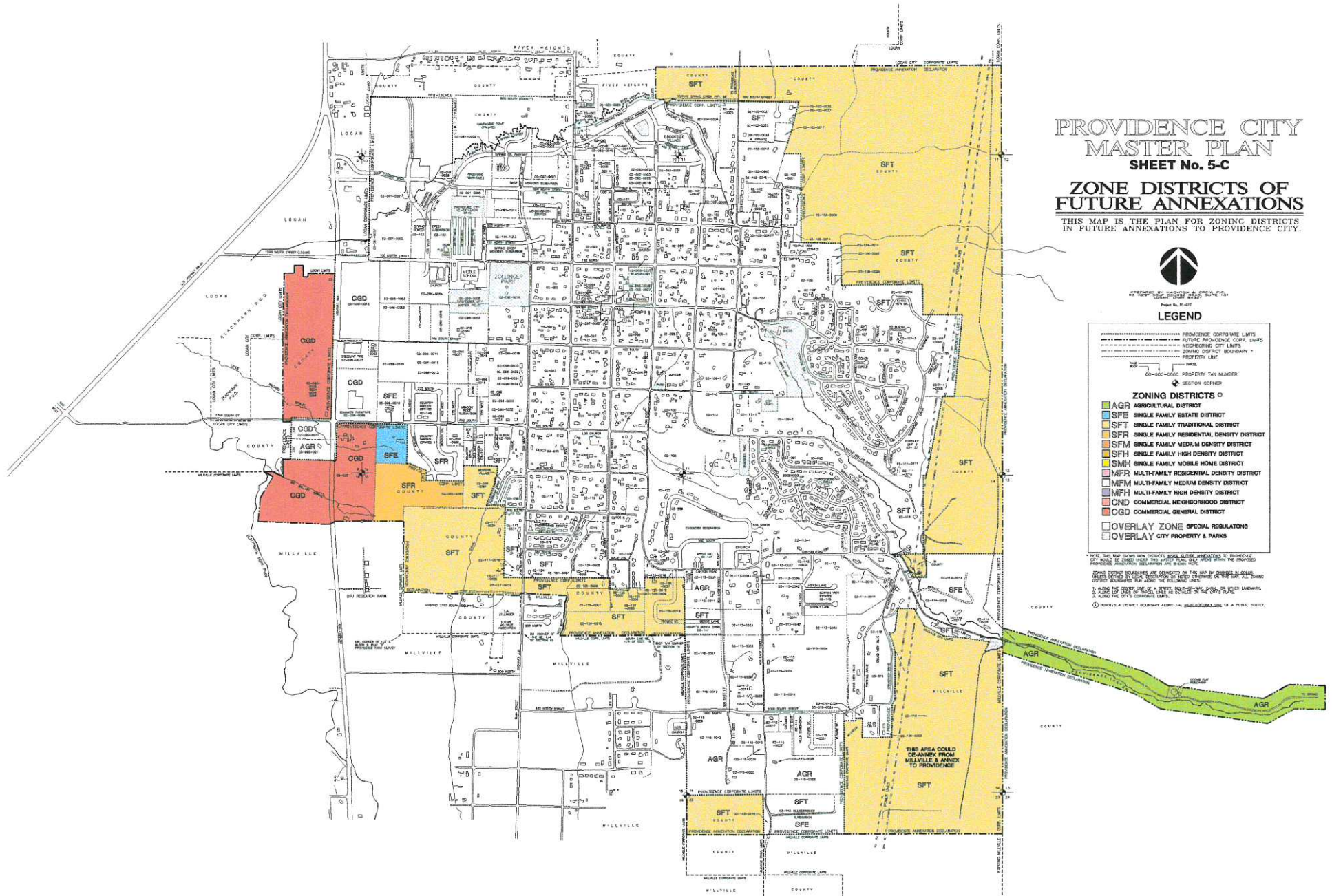
NOTE: THIS MAP SHOWS HOW DISTRICTS WOULD BE ZONED, BASED ON THE PROPOSED CITY LIMITS. IT DOES NOT SHOW HOW DISTRICTS WOULD BE ZONED UNDER THE CURRENT CITY LIMITS. THE PROPOSED DISTRICT BOUNDARIES ARE BASED ON THE PROPOSED CITY LIMITS.

ZONING DISTRICT BOUNDARIES ARE DELINEATED ON THIS MAP BY COLORED LINES. THE COLOR OF THE LINE INDICATES THE DISTRICT TO WHICH THE PROPERTY BELONGS. THE COLOR OF THE LINE ALSO INDICATES THE DISTRICT BOUNDARY. THE COLOR OF THE LINE ALSO INDICATES THE DISTRICT BOUNDARY.

1. ALONG THE CENTER LINE OF A STREET, PARTIAL LOT LINES, OR OTHER LINES, THE COLOR OF THE LINE IS BASED ON THE CITY'S PLANS.

2. ALONG THE CENTER LINE OF A STREET, PARTIAL LOT LINES, OR OTHER LINES, THE COLOR OF THE LINE IS BASED ON THE CITY'S PLANS.

3. INDICATES A DISTRICT BOUNDARY ALONG THE FRONT-OF-YARD USE OF A PUBLIC STREET.

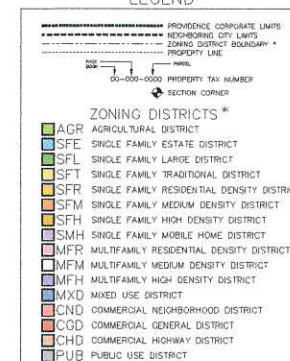


OFFICIAL ZONING MAP OF THE CITY OF PROVIDENCE UTAH

SHEET 5-A OF THE
PROVIDENCE CITY MASTER PLAN
REVISED: FEBRUARY 3, 2015



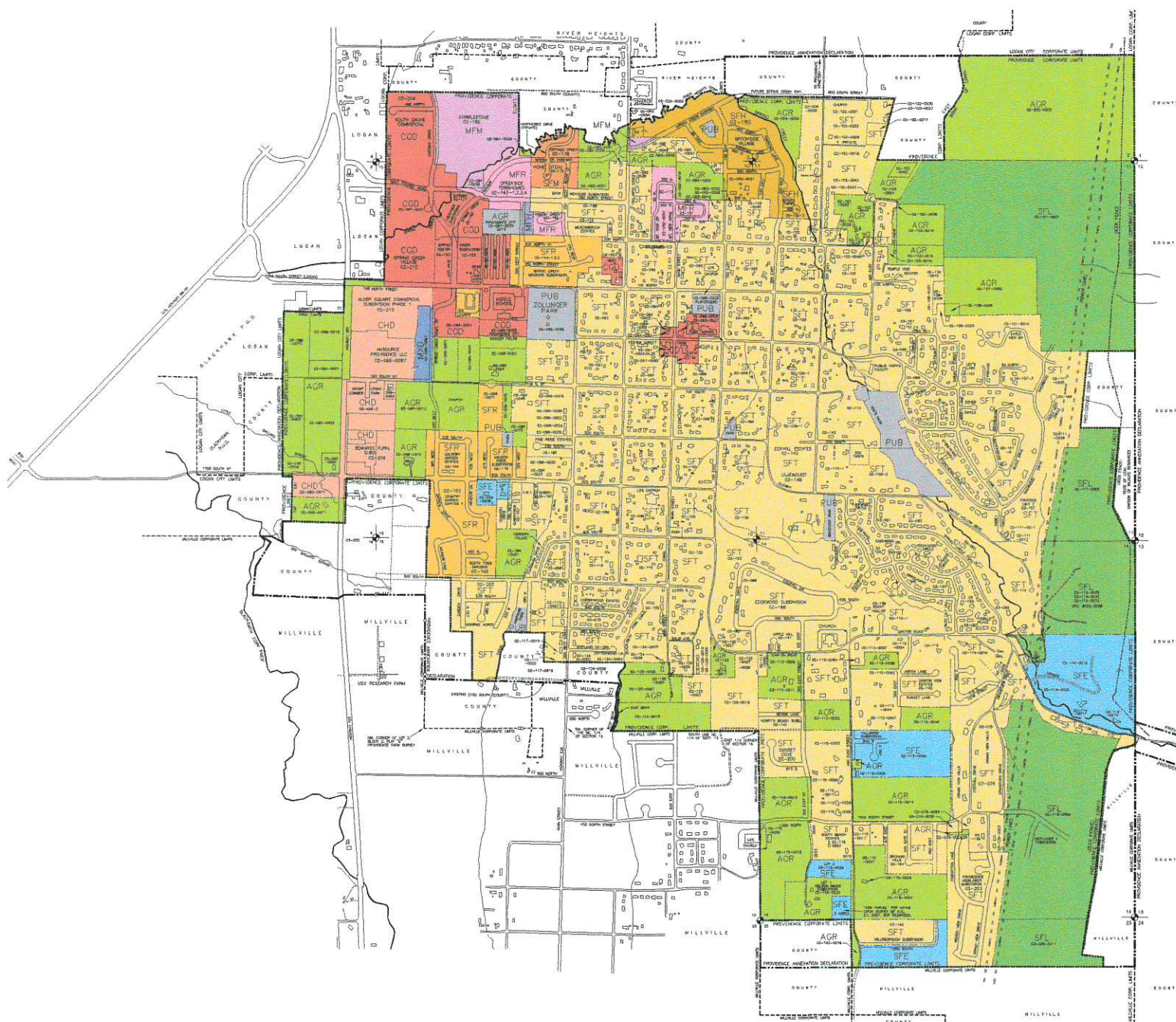
LEGEND



* NOTE: THIS ZONING MAP IS A COMPILED OF ZONE BOUNDARIES THAT HAVE BEEN DRAWN ON CORNERS OF DUTCH COUNTY RECORDS PLATS ON FILE IN THE PROVIDENCE CITY OFFICE. BECAUSE OF THIS, THE ZONING MAP IS NOT A PERFECT REPRESENTATION OF THE ZONING MAP. ZONING DISTRICT BOUNDARIES ARE DETERMINED ON THIS MAP BY CORNERS TO COLOR. BOUNDARIES DETERMINED BY LEGAL DESCRIPTION OR NOTES ON CORNERS ARE NOT ALL ZONING DISTRICT BOUNDARIES RUN ALONG THE FOLLOWING LINES:

1. ALONG THE CENTER LINE OF A STREET, HIGHWAY, CANAL, OR OTHER LANDMARK.
2. ALONG THE CORNER LINE OF A STREET, HIGHWAY, CANAL, OR OTHER LANDMARK.
3. ALONG THE CITY'S CORPORATE LIMITS.

① INDICATES A DISTRICT BOUNDARY ALONG THE RIGHT-OF-WAY LINE OF A PUBLIC STREET.



CHAPTER 4

ESTABLISHMENT OF DISTRICTS

SECTION:

- 10-4-1: Zoning Districts Established
- 10-4-2: Boundaries of Districts
- 10-4-3: Planned District
- 10-4-4: Mixed Use District
- 10-4-5: Public District

10-4-1: **ZONING DISTRICTS ESTABLISHED:** The City is hereby divided into zoning districts. Portions of each district may also be designated as being within a hazard or redeveloping zone and thus be subject to additional regulations (see Sections 10-3-5, 10-5-1 and Chapter 14 of this Title). The regulations established herein are uniform for all classes of buildings within each district. The districts established herein shall be known as:

District	Abbreviation	Minimum Lot Size sq. ft.	Summary
Agricultural district	AGR	217,800 (5 acres)	Agricultural operations.
Single family estate district	SFE	43,560 (1 acre)*	Single family residential type uses. Home businesses may be allowed as a permitted use or a conditional use.
Single family large district	SFL	21,800*	
Single family traditional district	SFT	12,000*	
Single family residential density district	SFR	10,000	
Single family medium density district	SFM	8,000	
Single family high density district	SFH	6,000	
Single family mobile home district	SMH	5,000	
Multi-family residential density district	MFR	10,000	Multi-family residential type uses. Home businesses may be allowed as a permitted use or a conditional use.
Multi-family medium density district	MFM		
Multi-family high density district	MFH		
Mixed Use District	MXD		See Section 4 below
Commercial neighborhood district	CND		Small scale, day-to-day convenience shopping and services for residents of the immediate neighborhood.
Commercial general district	CGD		Retail, personal service, entertainment, office and related commercial uses.
Commercial highway district	CHD		Retail uses (88%), minimal non-retail use allowed (12%)
Public district	PUB		See Section 5 below
Recreation District	REC		
*Lot Size Averaging may be used in these zones. See 10-8-2. A.			

1
2
3 10-4-2: **BOUNDARIES OF DISTRICTS:**
4

- 5 A. Established; Zoning Map: The boundaries of the zoning districts are hereby established as
6 delineated on the officially adopted map (or maps) entitled "Zoning Map of Providence City,
7 Utah", or as hereafter amended by due process. The Zoning Map and all boundaries, notations
8 and other data shown thereon shall be as much a part of this Title as if fully described and
9 detailed herein. The Map shall be filed in the office of the City and may be examined by the
10 public and made available for City use.
11
12 B. Boundaries Not Established; Determination: District boundary lines that are not established by
13 legal definition shall be determined as follows:
14 1. Boundaries indicated as being approximately upon the center line of a street, alley, easement,
15 block, canal, waterway or other existing landmark shall be construed to follow such center
16 line.
17
18 2. Boundaries indicated as following lot lines shall be construed as following such platted lot
19 lines.
20
21 3. Boundaries indicated as following City limits shall be construed as following such legal City
22 limit lines.
23
24 4. Boundaries indicated as being parallel to or extensions of features indicated on the Map shall
25 be so construed. Distances not specifically designated shall be determined by the scale of
26 the Map.
27
28 5. Whenever any street, alley or other public way is vacated by official action of the City Council,
29 or whenever such area is franchised for building purposes, the zoning district line adjoining
30 each side of such street, alley or other public way shall be automatically extended to the
31 center line of such vacated street, alley or way and all area so involved shall then and
32 henceforth be subject to all regulations of the extended districts.
33
34 6. Any uncertainty regarding district boundaries not clarified by the five (5) preceding criteria
35 shall be referred to the Appeal Authority for resolution.
36
37 C. Changes: Changes in the boundaries of the zoning districts shall be made only by due process as
38 set forth in Section 10-1-5 of this Title. (Zon.Ord., 5-8-1991)
39

40 10-4-3: **Planned District (P)**
41

- 42 A. **Purposes:**
43 1. To encourage and provide a means for effectuating desirable development through the
44 use of variations in site layout, mixed land uses, and/or varied dwelling or other
45 buildings.
46
47 2. To preserve the amenities and compatibility of P Districts by adoption of a general
48 development plan, showing proper orientation, desirable design character, and
49 compatible land uses.
50
51 3. To provide for the orderly pre-planning and long-term development for a variety of uses
52 of large tracts of land which are under unified ownership or development control, so as
53 to ensure that the entire tract will provide an environment of stable and desirable

1 character.

- 2
- 3 4. To give the developer reasonable assurance that sectional development plans prepared
- 4 in accordance with an approved general development plan will be acceptable to the
- 5 local jurisdiction. Sectional development plans shall include subdivision plans and/or
- 6 planned unit development plans as provided for in this Chapter.
- 7
- 8 5. To enable the adoption of measures providing for development of the surrounding area
- 9 in character compatible with the Planned District.
- 10

11 B. **Standards and Requirements:** The following provisions shall apply in a P District, which

12 District shall also be subject to other provisions of the Zoning Ordinance, except that where

13 conflict in regulations occurs, the regulations specified in this Chapter, or on a development plan

14 approved pursuant to this Chapter, shall apply.

15

- 16 1. P Districts may be established on parcels of land which are suitable for, and of sufficient
- 17 size to be planned and developed in a manner consistent with the purposes and
- 18 objectives of this Chapter. No P District shall include less than ten (10) acres of
- 19 contiguous land.
- 20
- 21 2. No ordinance establishing a P District shall be adopted unless and until there is on file
- 22 with the local jurisdiction written consent of every property owner within such District
- 23 at the time of adoption of the Ordinance, agreeing:
- 24
- 25 a. That the owner will be bound by the conditions and regulations proposed and
- 26 which will be effective within the District, and
- 27 b. To record such written agreement with the County Recorder
- 28
- 29 3. Before detailed studies of any P District development plans shall be undertaken by the
- 30 planning staff or the planning commission, there shall be on file with the local
- 31 jurisdiction the written request of all property owners within the proposed District that
- 32 such detailed studies be made.
- 33
- 34 4. Standards for area, coverage, density, yard requirements, parking and screening for P
- 35 District uses shall be governed by the standards of the residential, commercial, or
- 36 industrial zoning districts most similar in nature and function to the proposed P District
- 37 use(s), as determined by the Planning Commission, and as modified by the approved
- 38 general development plan. Standards for public improvements shall be governed by
- 39 applicable ordinances and laws. Exceptions to these standards by the Planning
- 40 Commission and by the governing body are possible, when these bodies find that such
- 41 exceptions encourage a desirable living environment and are warranted in terms of the
- 42 total proposed development or unit thereof.
- 43
- 44

45 C. **Preliminary Development Plan Approval:**

- 46 1. Procedure and Applications. Prior to the filing of a formal P District rezoning application,
- 47 the applicant shall submit a preliminary development plan for an approval in principle
- 48 thereof by the planning commission and the governing body.
- 49
- 50 a. The preliminary development plan and text shall be prepared and endorsed by
- 51 a qualified urban planner, with other professional assistance as required, and
- 52 shall include the following information presented in a general schematic
- 53 fashion:

- i. The topographic character of the land, and any major grading intended;
- ii. Proposed land uses, population densities, and building intensities;
- iii. Proposed circulation pattern indicating both public and private streets;
- iv. Proposed parks, playgrounds, school sites, and other open spaces;
- v. A market analysis of proposed uses, if required by the Planning Commission, if the property is not zoned for commercial purposes at the time of submittal of the preliminary development plan;
- vi. Delineation of the units to be constructed in progression, if any; and Relation of the proposed development to future land use in surrounding area(s) and as shown on the master plan.

D. **Public Hearing – Optional:** A public hearing on the preliminary development plan may be held by the Planning Commission and governing body. Approval in principle of the preliminary development plan shall be limited to the general acceptability of the land uses proposed and their interrelationships, and shall not be construed to endorse precise location of uses, configuration of parcels, or engineering feasibility, and such approval shall not be construed as or deemed to be in any form or sense a commitment to approve any subsequent formal rezoning application.

E. **General Development Plan and Schedule Approval:** Together with the application for rezoning classification, the applicant shall submit the following general development plan consisting of documents and supporting evidence, prepared and endorsed by a qualified professional team, as required by the Planning Commission.

1. A mylar map with ten (10) prints of a survey of the property, showing existing features of the property including specimen trees, structures, streets, easements, drainage channels, utility lines, and existing land uses;
2. A mylar map with ten (10) prints of a general development plan which shall be in reasonable conformance with the approved preliminary plan, showing as appropriate, all the information required on the preliminary development plan; the approximate location and proposed density of dwelling units; non-residential building uses and intensities; and land use considered suitable for adjacent properties;
3. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of total number of acres in the proposed project and the per cent thereof designated for the various uses; the number of dwelling units proposed by type of dwelling unit of the P District; estimated non-residential population; proposed retail sales area and economic justification; anticipated timing for construction of each unit; and standards for height, open space, building intensity, population density, and public improvements proposed for each unit of development whenever the applicant proposes an exception from standard zoning district or other ordinance regulations governing development;
4. Evidence that the applicant has sufficient control over the land to effectuate the proposed plan;
5. Engineering and other feasibility studies, as necessary; and if the development or plan is to be approved in stages, each stage of development shall be completed prior to proceeding to the next stage, or adequate performance guaranties be posted to insure completion of each approved stage.

1 G: **Findings Required:**

- 2 1. The Planning Commission, after public hearing, may recommend the establishment of a
3 P District, and the governing body, after public hearings, may by ordinance establish a P
4 District, provided that both find that the facts submitted with the application and
5 presented at the hearings establish that:
- 6 a. The proposed P District or a given unit thereof, can be substantially completed
7 within two (2) years of the establishment of the P District.
 - 8 b. That each individual unit of development as well as the total development, can
9 exist as an independent unit capable creating an environment of sustained
10 desirability and stability, or that adequate assurance will be provided that such
11 objective will be attained; and that the uses proposed will not be detrimental
12 to present and potential surrounding uses, but will have a beneficial effect
13 which could not be achieved under other zoning districts;
 - 14 c. That the streets and thoroughfares proposed are suitable and adequate to
15 carry anticipated traffic, and increased densities will not generate traffic in such
16 amounts as to overload the street network outside the P District;
 - 17 d. That commercial development can be justified economically at the locations
18 proposed to provide commercial facilities;
 - 19 e. That the area surrounding said development can be planned and zoned in
20 coordination and substantial compatibility with the proposed development;
 - 21 f. That any exception from standard ordinance requirements is warranted by the
22 design and amenities incorporated into the general development plan, in
23 accordance with adopted policy of the Planning Commission and the governing
24 body;
 - 25 g. That the P District is in conformance with the Master Plan; and,
 - 26 h. That existing or proposed utility services are adequate for the population and
27 use densities proposed.
- 28

29 H. **Planning Commission and Governing Body's Action:**

- 30 1. If, from the facts presented, the Planning Commission, or the governing body is unable
31 to make the necessary findings, the application shall be denied.
- 32 2. In taking action, the Planning Commission may deny the general development plan and
33 general development schedule as submitted, or may recommend approval of said plan
34 and schedule to the governing body, subject to specified amendments.
- 35 3. Upon application for rezoning of an area to a P District and recommendation of such
36 rezoning by the Planning Commission, the governing body shall hold a public hearing
37 thereon as required by other amendments to the zoning ordinance.
- 38 4. Changes of use or density of an approved general development plan shall be considered
39 the same as a change in the zoning map, and shall be made in accordance with the
40 provisions for amendments of the zoning ordinance. If no development has occurred to
41 effectuate a P District development within two (2) years after the District is created, the
42 Planning Commission shall review the action and determine whether or not the
43 continuation of a given P District is in the public interest. If the Planning Commission so
44 recommends, the governing body may order the area reverted to the original district
45 from which it was created, without a public hearing.
- 46 5. At the time of adoption of any ordinance establishing a P District, the governing body
47 shall make appropriate arrangements with the applicant to insure the accomplishment,
48 at the scheduled times, of the public improvements, public dedications, and grants of
49 easement shown on the approved general development plan. The P District shall be
50 given an appropriate name, number of letter to identify it; and the approved general
51 development plan shall be adopted by reference and become a part of the zoning
52 ordinance.
- 53

10-4-4: **MIXED USE DISTRICT:**

- A. **Purpose:** The Mixed Use District is established to stimulate economic development by providing a unique planning environment which combines light commercial, office, and residential development in a pedestrian friendly manner. This district encourages creative development and site design for mixed use commercial, office, and residential uses within the District. The MX District includes a mixture of uses with no one land use type being a constant dominate or prevailing use.
- B. **Procedures:**
1. The Planning Commission shall be the land use authority for approval of all development proposals in the MX District. All exterior construction visible from adjacent properties or public streets must also be reviewed and approved by the Planning Commission.
 2. Prior to the Planning Commission taking action, plans must be submitted in accordance with the zoning ordinance.
 3. All submissions shall be made in conformance with the adopted application and agenda deadline schedule.
- C. **Uses-Allowed:** Uses are listed in 10-6-1. Any uses not listed on a table in that section are conditional uses. Any development in the MX District must include retail and either commercial or residential uses.
- D. **Development Standards:** The following provisions shall apply in a MX District, which District shall also be subject to other provisions of the Zoning Ordinance, except that where conflict in regulations occurs, the regulation specified in this Chapter, or on a development plan approved pursuant to this Chapter, shall apply.
1. Open Space: Usable open space shall be provided within the mixed use development with the amount and type of open space depending upon size, scale, and nature of the development as determined by the Planning Commission. Approved open space may include but is not limited to: commons, pocket parks, plazas, courtyards, landscape features, water fountains and features, and greenbelts. Open space shall be maintained by owners or the homeowners association. The design shall encourage comfortable and safe pedestrian use, including landscaping, seating areas, and lighting as appropriate.
 2. Standards for area, coverage, density, yard requirements, parking and screening for MX District uses shall be governed by the standards of the residential, commercial, or industrial zoning districts most similar in nature and function to the proposed MX District use(s), as determined by the Planning Commission, and as modified by the approved general development plan. Standards for public improvements shall be governed by applicable ordinances and laws. Exceptions to these standards by the Planning Commission and by the governing body are possible, when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development or unit thereof.
- E. **Uses:** The variety of uses allowed in a MX District are intended to create a mix of retail, commercial, entertainment, office, personal services, and residential dwelling land use types that can be developed in a compact design that encourages compatibility of uses.
- F. **Architectural Design and Materials:** The treatment of building mass, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding developments. Proposed developments shall be designed with a common theme that reflects the heritage and community of Providence and traditional small town streetscapes. The use of theme in a proposed development shall be reviewed and approved by the Planning Commission. Requirements applicable to all buildings are stated below:

1. All sides of buildings shall receive equal design consideration, particularly where exposed to vehicular or pedestrian traffic and adjacent properties. Façade shifts shall be encouraged on structures with a width greater than 50 feet.
 2. Basic exterior construction materials shall be limited to no more than three types of materials per building and all buildings within the development shall possess a similar architectural theme. Building styles shall be compatible with existing buildings in the MX District.
 3. Buildings shall be designed to relate to grade conditions with a minimum of grading and exposed foundation walls.
 4. Mechanical equipment shall be located or screened so as not to be visible from public and private streets. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or on the roof. Screen materials shall be compatible with those of the building.
 5. Plans for the exterior modifications to any existing structures must be submitted to the Planning Commission for approval and must meet the same requirements as all other structures within the MX District.
 6. The primary entrance to a building shall be located facing the public street. Entrances at a building corner that faces the street may be used to meet this requirement.
- G. **Buffers, Fences, and Walls:** The intent in having special buffer, fence, and wall requirements is to provide quality separation between incompatible commercial uses, and to provide physical and visual protection between commercial and residential uses.
1. Landscape buffers are preferred over fences and walls where a separation is desirable. A visually open look should be encouraged between similar uses. Visual screening is often more important than a physical separation and the Planning Commission may, at its own option, require special treatment of such areas.
 2. Buffer treatment may be required whenever a change occurs between residential and non-residential uses. Additional landscaping and screening may be required at the discretion of the Planning Commission within the setback which separates the uses. Fences or walls will be reviewed for their effectiveness in screening a view, and for their color and texture in relationship to building materials.
 3. Where differing uses are to be developed adjacent to existing residential areas, special consideration shall be made to protect the privacy of residents and requirements shall be the discretion of the Planning Commission. As a minimum, the negative effects of noise and artificial lighting shall be minimized to protect existing residents.
 4. Service areas shall be properly screened. Outdoor lighting shall be designed to prevent exposure of light source to the view of residents. Facilities that require late night customers and activities shall be located away from residential areas to reasonably prevent the disruption of privacy.
- H. **Parking Areas:** Parking areas shall be considered as structures since they present a three dimensional appearance when occupied.
1. Parking lots shall be located in the central portions of the development and not along streets so they can service a variety of buildings. Location of parking shall be determined not only from its visual relationship to building and site, but also as it relates to safe convenient pedestrian and vehicular circulation patterns. The placing of building and parking elements on a site shall be evaluated by the Planning Commission on the basis of the following factors:
 - a. Type of land use and structure.
 - b. Building height and configuration.
 - c. Relationship to other buildings both horizontally and vertically.
 - d. Natural land features such as slopes and vegetation.
 - e. Physical features such as rail lines, canals, and controlled ingress and egress.
 - f. Visibility from vehicular approaches and distant highways.

- g. Parking locations are strongly encouraged on the side and to the rear of any proposed structures, with minimum parking between the front of the building and the street.
- h. Cooperation among neighboring land owners and tenants to share parking for the public and/or employees is encouraged. The availability of shared parking may be used as a justification for the approval of development design and configuration proposals that would otherwise not be approved.
2. Parking shall not occur adjacent to any public street except when:
- a. It has been established that such a location is needed or justified by other site or building entrance orientation.
- b. The use is restricted to visitors and/or key employees.
- c. Parking is 80% screened by fencing, walls, and/or landscaping from the highway or street by either depressing the paved areas or using elevated landscape berms.
- d. A minimum of 10 feet of landscaped screening consisting of mixed evergreen and deciduous trees shall surround the periphery of paved areas adjacent to buildings or property lines. The number of trees for this area shall be determined by a standard of 1 tree per every 200 square feet of landscaping required,
3. Parking requirements will be considered as maximum parking requirements. Residential units will require at least one and a half spaces per unit. Non residential uses may consider the parking available on public streets as meeting the development requirements.
- I. **Signage:** Proper design and placement of signs and their lighting is critical and shall be compatible with structures and uses. Permitted signs within the MX District shall be in compliance with this code, except that off-premise signs or billboards shall not be permitted. Typical retail signage is designed upon a pedestrian scale located 8 – 12 feet above the sidewalk and placed on the store fronts.
- J. **Landscaping:** Landscaping shall comply with landscaping requirements in commercial Districts except as approved by the Planning Commission in the process of reviewing a MX District Development.
- K. **Service and Loading Areas:** Loading and refuse collections areas shall not be permitted between buildings and streets, and must be screened from view of public and private streets. Streets shall not be used directly for loading, unloading, or refuse collection. Building and improvements upon lots must be designed to properly accommodate loading, unloading and refuse collection. Loading and refuse collection areas shall be properly screened meeting standards stated herein.
- L. **General Maintenance:** An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, and parking lots (including surfacing and striping, signs, or other structures). The above shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner. Roads and pavements shall be kept true to line and grade and in good repair.

10-4-5: Public District. This zone provides for a wide range of public and recreational areas and activities, including: public buildings, parks, and open space.

- A. Purpose. The purpose and objectives of this zone are as follows:
1. To allow for public buildings and associated uses.
 2. To enable land to be used for public open space or recreational purposes. Allowing a range of recreational settings and activities and compatible land uses; and to protect

1 and enhance the natural environment for recreational purposes.

2
3 B Structures and facilities. The following structures and facilities are permitted in the public
4 district:

- 5 1. Public buildings and amenities.
6 2. Buildings and areas for storage of equipment and materials.
7 3. Restrooms (permanent and temporary).
8 4. Playground structures.
9 5. Athletic fields and amenities including: fences, batting cages, water activity areas, tennis
10 courts, volley ball areas, athletic field and court lights, parking lots and lights, flags and
11 lights, ballpark advertising banners, regulatory signs.
12 6. Natural amenities: grass, plants, trees, etc.
13 7. Cell towers may be allowed by conditional use.

14
15 C Permitted uses. The following uses are permitted in the public district:

- 16 1. Public meetings, City sponsored gatherings and events such as: city celebrations,
17 concerts in the park, movies in the park, etc.
18 2. Social gatherings (indoor and outdoor). Some gatherings may require a Special Event
19 application and permit (see Title 7, Chapter 7, Section 9 of this Code)
20 3. Athletic events: competitive and organized recreational play and practice. Some events
21 (including but not limited to: fun runs, marathons, bike races, walks) may require a
22 Special Event application and permit (see Title 7, Chapter 7, Section 9 of this Code)
23 4. Kiosk and tent vendors associated with permitted events.
24 5. Food vending by contract with the City.
25 6. Rental of some City owned facilities.
26 7. General, unorganized play and recreational use.
27
28
29
30

CHAPTER 6

USE REGULATIONS

SECTION:

10-6-1: Use Chart

10-6-2: Classification of New and Unlisted Uses

10-6-1: **USE CHART:** Land and buildings in each of the zoning districts may continue to be used, but no land shall herein after be used, and no building or structure shall hereinafter be erected, altered or converted which is arranged, designed or used for other than those uses specified for the district in which it is located as set forth by the following use chart and indicated by:

P = permitted use

C = conditional use permit required

X = special review required

I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area and:

- incidental to a single use (i.e.: a bank is incidental to retail business, not multiple businesses); and
 - a department store, grocery store, health fitness center, or other retail business may have more than one incidental use associated with it; and
 - the combined total of all incidental uses associated with a building may not exceed 12% of the gross square footage of the building or 6,000 sq ft whichever is less (administrative offices, restrooms, storage areas, and other enmities necessary for the operation of the retail business are not considered incidental uses) ; and
 - cannot be a stand alone building (an unoccupied drive through structure(s) and/or fueling pads will be counted as part of the 12% but not included in the 6,000 sq ft cap of the incidental use); and
 - must share the same public entrance(s); and
 - a permitted business is not considered an incidental use; and
 - incidental use must have its own business license unless owned and operated by the primary retail business.
- = not permitted (absence of symbol)

If a use is not specifically designated, it is prohibited.

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
A	Residential Uses																
1	Single family, detached	P	P	P	P	P	P	P	P	P			C			P	
2	Single family, attached					P	P	P		P	P	P				P	
3	Dwelling, two family									P	P	P				P	
4	Dwelling, three family									P	P	P				P	
5	Dwelling, four family									P	P	P				P	
6	Dwelling, multi-											P				P	

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
	family																
7	Manufactured/modular	P	P	P	P	P	P	P	P	P	P	P				P	
8	Mobile/trailer home								P								
9	Secondary residential structure (OM 005-2005 01/13/04)	C	C		C												
10	Cluster development			C	C	C	C	C	C	C	C	C				C	
11	Inner block development		C	C	C											C	
12	Planned Unit Development	C	C	C	C	C		C	C	C	P	P				C	
13	Bed & Breakfast	C	C	C	C	C							C	C		C	
14	Hotel/motel											C	C	C		C	
15	Lodging house									C	C	C	C	C		C	
16	Residence for persons with disabilities		P	P	P	P	P	P	P	P	P	P				C	
17	Residential facility for the aged		P	P	P	P	P	P	P	P	P	P				C	
B	Accessory/Incidental Uses																
1	Accessory building	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
2	Accessory dwelling unit	€	€		€	€	€									P	
3	Accessory farm building	P	P	P	P	P											
4	Off street parking incidental to main use	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
5	Private swimming pool	P	P	P	P	P	P	P		P	P	P	P	P		P	
C	Governmental/Institutional/Special Services																
1	Church	P	P	P	P	P	P	P	P	P	P	P					
2	Ministers, rabbis, priests, and other similar ordained religious work	P ^	P ^	P ^	P ^	P ^	P ^	P ^	P ^	P ^	P ^	P ^	P				
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C ^	P	P	I or	C	

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
															C *		
5	Preschool	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	P			C	
6	Public Park	P	P	P	P	P	P	P	P	P	P	P				P	P
	Private Lessons / public facility																C
7	Public School (OM 020-2004)	P	P	P	P	P	P	P	P	P	P	P					
8	Public building	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
D	Utility and Related Service																
1	Electric substation	C	C														
2	Electric power plant	C															
3	Fire station	P	P	P	P	P	P	P	P	P	P	P					
4	Gas meter station	P	P	P	P	P	P	P	P	P	P	P					
5	Irrigation supply	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower													C			
8	Sewage/water pumping station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Telephone utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Public utilities, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Utility shop, storage and bldgs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Water treatment plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Water well reservoir or storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
E	Professional Services																
1	Business office, medium impact	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C			P	
2	Business office, low impact	P ^	P ^	P ^	P ^	P ^	P^	P ^	P^	P^	P^	P^	P			P	
3	Business office, general												C	P	I or C *	P	
4	Clinic, dental												C	P	I or C *	P	
5	Clinic, medical												C	P	I	P	

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
															or C *		
6	Clinical Social Worker												C	P	I or C *	P	
7	Office for single physician, dentist, or chiropractor	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^			I or C *		
8	Licensed professional	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C	P	I or C *	P	
9	Mortuary	C ^	C ^	C ^					C^	C^	C^	C^	C	P		P	
10	Optical shop	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C	P	I or C *	P	
11	Pharmacy	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C	P	I or C *	P	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P ^	P ^	P ^	P ^	P ^	P^	P ^	C^	C^	C^	C^					
13	Private school, teaching	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C	P		P	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P ^	P ^	P ^	P ^	P ^	P^	P ^	C^	C^	C^	C^					
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	C	P	I or C *	P	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P ^	P ^	P ^	P ^	P ^	P^	P ^	C^	C^	C^	C^					
14	Artists, artisans, craftsman, sculptors, authors, small crafts and	P ^	P ^	P ^	P ^	P ^	P^	P ^	C^	C^	C^	C^					

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
	handcrafts, and related artistic work																
1 5	Veterinarian^	C ^	C ^	C ^					C^	C^	C^	C^	P	C		P	
F .	Retail/Related Uses																
1	Adult oriented business													C			
2	Food preparation, catering, etc	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	P	P	P	P	C
3	Bakery/Confectione ry sales												P	P	P	P	
4	Barber/beauty shop	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	P	P	P	P	
5	Book/Stationery Store												p	p	p	P	
6	Computer Store												p	p	p	P	
7	Department store													p	p	P	
8	Florist Store												p	p	p	P	
9	Furniture Store													p	p	P	
1 0	Specialty Store/Shop	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^			P		
1 1	Grocery store	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	p	p	p	P	
1 2	Hardware store													p	p	P	
1 3	Home & Garden store												p	p	p	P	
1 4	Laundry/dry cleaning store												p	p	p	P	
1 5	Liquor store (OM 015-2004)													p	p	P	
1 6	Music Store												p	p	p	P	
1 7	Paint Store													p	p	P	
	Pet Grooming	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	P	P	P	P	
1 8	Pet Store													p	p	P	
1 9	Restaurant/fast food												p	p	p	P	
2 0	Shoe repair	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^	p	p	p	P	
2 1	Small appliance repair	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^	C^	C^	C^		p	p	C	
2 2	Variety Store												p	p	p	P	

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
2 3	Commercial complex												p	p	p	P	
2 4	Shopping center													p	p	P	
2 5	Tire sales, retail (OM 001-002, 02/27/01)													c	P		
2 6	Yard sales on an occasional basis	P ^	P ^	P ^	P ^	P ^	P^	P ^	P^	P^	P^	P^					
G	Commercial/Related Uses																
1	Auto Sales – New & Used (OM 016- 2004 05/11/04)													P	P		
2	Auto Sales –Used (OM 016-2004 05/11/04)																
3	Auto wash												P	P	P		
4	Bank/financial													C	I or C *	P	
5	^^^Nondepository Financial Institutions													P	I or C *		
6	Building materials													P	P		
7	Dance hall																
8	Gasoline/petroleum storage (not bulk)	C	C	C	C								C	C	C		
9	Gasoline sales/service												P	P	P		
1 0	Fitness Center Commercial (Gym)													P	P	P	
1 1	Convenience store												P	P	P		
1 2	Night club																
1 3	Print shop/sales	C ^	C ^	C ^	C ^	C ^	C ^	C ^					P	P	P	P	
1 4	Recreation/Entertainment													P	I or C *		
1 5	Research facilities	C ^	C ^	C ^	C ^	C ^	C ^	C ^				P					
1 6	Theater													P	P	P	

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
17	Vehicle storage																
H	Industry and Manufacturing																
1	Auto repair, paint and body shop																
2	Bldg maintenance & repair services																
3	Cabinet Shop																
4	Clothing Manufacturer																
5	Furniture Manufacturer																
6	General contractor yard																
7	HVAC shop/sales																
8	Ice cream plant																
9	Lumber yard												P				
10	Paint Shop												P				
11	Welding/machine Shop												C				
12	Wholesale outlet/storage and sales												P				
13	Light Manufacturing												C				
14	Motorcycle, Snowmobile, ATV, etc repair	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C [^]								
I.	Agriculture and Related Uses																
1	Beekeeping	P ^^	P ^ ^	P ^ ^													
2	Breeding or raising animals for sale, food, pleasure, or profit	P ^^	P ^ ^	P ^ ^	P ^ ^	P ^ ^											
3	Keeping dogs, cats, fish, or exotic caged birds	P ^^	P ^ ^	P ^ ^	P ^ ^	P ^ ^	P [^] ^	P ^ ^	P [^] ^	P [^] ^	P [^] ^	P [^] ^		C	I	P	
4	Commercial crop production	P	P	P													
5	Dairy business	P ^^	P ^ ^	P ^ ^													
6	Feed lot	C															

		A G R	S F E	S F L	S F T	S F R	SF M	S F H	S M H	M FR	M F M	M FH	C N D	C G D	C H D	M X D	P U B
7	Gardens and orchards for home use	P	P	P	P	P	P	P	P	P	P	P	P			P	
8	Ranch/farm production and operation	P	P														
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C ^	C ^	C ^	C ^	C ^	C ^	C ^	C^								

1 ^Use is allowed as a permitted or conditional use only if it is a home business, child care business or
2 nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

3 ^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.

4 ^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for
5 consideration or extending a deferred deposit loan and shall include any other similar types of businesses
6 licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act.
7 Nondepository financial institutions shall be limited by the population of all residents in Providence City.
8 The total population figures shall be based on the US Census Bureau's annual estimates. Only one
9 nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

10 *The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

- 11 1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing
12 gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the
13 square footage of the ground floor; upper levels are not included in the combined totals for or
14 against the 15% limitation.
- 15 2. The project area is the approved preliminary plat.
- 16 3. Incidental uses in the project area are not computed in the 15% limitation.
- 17 4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with
18 separate outside entrances for the public.

21 10-6-2: **CLASSIFICATION OF NEW AND UNLISTED USES:**

22 A. Request; Referral: Requests for a new use or unlisted conditional use shall be referred to
23 the Planning Commission chairperson for consideration by the Planning Commission. Applications for a
24 new use and unlisted conditional use will be processed in accordance with the procedures listed in
25 subsection 10-3-5:C of this Title to determine if such use should be permitted and added to the current
26 list of approved uses. The Planning Commission shall forward to the City Council a recommendation to
27 accept or reject the request. The Planning Commission shall also forward, with any recommendation for
28 approval of a new use, the necessary ordinance amendments to implement the use.

29 B. City Council Action: The City Council will approve or disapprove the recommendation.
30 Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the
31 procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)